

mals, declaring them the property of the State, declaring a five (5) year closed season on wild fox in Robertson County; providing a penalty for violation of this Act, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Frazer, the House concurred in the Senate amendments.

ADJOURNMENT

On motion of Mr. Butler of Brazos, the House, at 4:15 o'clock p. m., adjourned until 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Appropriations: Senate Bills Nos. 36 and 482.

Conservation and Reclamation: Senate Bills Nos. 4 and 505, and House Bill No. 977.

Judicial Districts: Senate Bills Nos. 491 and 497.

Revenue and Taxation: House Bill No. 682.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee, Room,

Austin, Texas, April 19, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 77, A bill to be entitled "An Act creating a conservation and reclamation district, to be known as the Upper Colorado River Authority, pursuant to and for the purposes set forth in Section 59 of Article XVI, of the Constitution of the State of Texas, and to be a governmental agency, body politic and corporate without power to mortgage or encumber any of its property, or to alienate any property necessary to its business, or to levy taxes or assessments or to create any indebtedness payable out of taxes or assessments, or to pledge the credit of the State, fixing boundaries thereof, conferring thereon all powers, rights, privileges and func-

tions conferred by general law upon districts created pursuant to said Section 59, except as expressly limited, etc., and declaring an emergency."

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

FIFTY-FIFTH DAY

(Tuesday, April 23, 1935)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker	Gibson
Adamson	Glass
Adkins	Good
Aikin	Graves
Alexander	Gray
Alsup	Greathouse
Ash	Hankamer
Atchison	Hanna
Beck	Hardin
Bergman	Harris of Archer
Bourne	Harris of Dallas
Bradbury	Hartzog
Bradford	Head
Broyles	Herzik
Burton	Hill
Butler of Brazos	Hodges
Butler of Karnes	Hofheinz
Cagle	Holland
Caldwell	Hoskins
Calvert	Howard
Canon	Huddleston
Celaya	Hunt
Clayton	Hunter
Collins	Hyder
Colquitt	Jackson
Colson	James
Cooper	Jefferson
Cowley	Jones of Atascosa
Craddock	Jones of Falls
Daniel	Jones of Runnels
Davis	Jones of Shelby
Davison of Fisher	Jones of Wise
Davisson	Keefe
of Eastland	King
Dunagan	Knetsch
Dunlap of Hays	Lange
Dunlap of Kleberg	Lanning
Duvall	Latham
Dwyer	Leath
England	Lemens
Fain	Leonard
Farmer	Lindsey
Fisher	Lotief
Ford	Lucas
Fox	Luker
Frazer	Mauritz
Fuchs	McCalla

McConnell	Roberts
McFarland	Rogers
McKee	Russell
McKinney	Rutta
Moffett	Scarborough
Moore	Settle
Morris	Shofner
Morrison	Smith
Morse	Spears
Newton	Stanfield
Nicholson	Steward
Olsen	Stinson
Padgett	Stovall
Palmer	Tarwater
Patterson	Tennyson
Payne	Thornton
Petsch	Tillery
Pope	Venable
Quinn	Waggoner
Reader	Walker
Reed of Bowie	Wells
Reed of Dallas	Westfall
Riddle	Wood of Harrison
Roach of Angelina	Wood of Montague
Roach of Hunt	Worley
Roane	Young
Roark	Youngblood

Absent—Excused

Crossley	Fitzwater
Dickison	

A quorum was announced present.
Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following members' were granted leaves of absence on account of important business:

Mr. Dickison for today, on motion of Mr. Lemens.

The following members were granted leaves of absence on account of illness:

Mr. Fitzwater for today, on motion of Mr. Stovall.

Mr. Crossley for today, on motion of Mr. Lucas.

HOUSE BILL ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows (same having been submitted by the Governor):

By Mr. Stanfield, Mr. Rogers and Mr. Tarwater:

H. B. No. 978, A bill to be entitled "An Act authorizing the creation and incorporation of wind erosion con-

servation districts coextensive with the area of any county in this State; prescribing the methods for the creation of same, and designating the powers and duties of such districts; prescribing that the county judge and commissioners court shall constitute the governing body and that the county treasurer and county clerk shall be the treasurer and clerk of such districts; etc., and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

ADDITIONAL SIGNER OF HOUSE BILL

By unanimous consent of the House, Mr. Alsup was authorized to sign House Bill No. 901, as co-author of same.

RESOLUTION RECOMMITTED

On motion of Mr. Moffett, Senate Joint Resolution No. 9 was recommitted to the Committee on Constitutional Amendments.

BILL ORDERED NOT PRINTED

On motion of Mr. Settle, Senate Bill No. 482 was ordered not printed.

BILLS LAID ON TABLE SUBJECT TO CALL

Mr. Graves moved that House Bill No. 59 be laid on the table, subject to call.

Question recurring on the motion by Mr. Graves, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—88

Adamson	Daniel
Adkins	Davis
Aikin	Davison of Fisher
Alexander	Davisson
Alsup	of Eastland
Ash	England
Bergman	Fain
Bourne	Farmer
Bradbury	Fisher
Bradford	Ford
Broyles	Fox
Burton	Frazer
Cagle	Gibson
Calvert	Glass
Canon	Graves
Clayton	Gray
Cooper	Hardin
Craddock	Harris of Archer

Head	Palmer
Herzik	Patterson
Hodges	Payne
Huddleston	Petsch
Hunt	Quinn
Hunter	Reed of Bowie
Hyder	Roach of Angelina
Jones of Atascosa	Roach of Hunt
Jones of Falls	Roark
Jones of Runnels	Rutta
Jones of Shelby	Scarborough
Jones of Wise	Shofner
Keefe	Steward
Lange	Stovall
Lanning	Tarwater
Latham	Tennyson
Leath	Thornton
Lindsey	Tillery
Lotief	Venable
Lucas	Waggoner
Mauritz	Walker
McConnell	Westfall
McFarland	Wood of Harrison
Moffett	Wood of Montague
Morris	Worley
Morrison	Youngblood
Newton	

Nays—42

Butler of Karnes	McCalla
Caldwell	McKee
Celaya	McKinney
Dunlap of Hays	Moore
Dunlap of Kleberg	Morse
Dwyer	Nicholson
Fuchs	Olsen
Greathouse	Padgett
Hankamer	Pope
Hanna	Reader
Harris of Dallas	Reed of Dallas
Hofheinz	Roane
Holland	Roberts
Hoskins	Rogers
Howard	Russell
Jackson	Settle
James	Smith
Jefferson	Spears
King	Stanfield
Knetsch	Stinson
Luker	Young

Absent

Atchison	Duvall
Beck	Good
Butler of Brazos	Hartzog
Collins	Hill
Colquitt	Lemens
Colson	Leonard
Cowley	Riddle
Dunagan	Wells

Absent—Excused

Crossley	Fitzwater
Dickison	

On motion of Mr. Adamson, House Bill No. 674 was laid on the table, subject to call.

RELATIVE TO CONSIDERATION OF RESOLUTIONS

Mr. Petsch moved that the House dispense with consideration of resolutions at this time.

The motion was lost.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

H. C. R. No. 48, Designating Cowboy Artist of Texas.

H. C. R. No. 50, Providing for the appointment of a committee to study cotton export.

H. B. No. 521, "An Act making better provision for the regulation of the sale and dealings in stocks, bonds, and securities in this State, including any share, stock, treasury stock, stock certificate under a voting trust agreement, collateral trust certificate, pre-organization certificate or receipt, subscription or re-organization certificate, note, bond, debenture, mortgage certificate or other evidence of indebtedness, any form of commercial paper, certificate in or under a profit sharing or participation agreement, certificate of interest in or under an oil, gas, or mining lease or title, or any certificate or instrument representing or secured by an interest in any or all of the capital, property, assets, profits or earnings of any company, investment contracts, or any other instrument commonly known as a security, whether similar to those herein referred to or not, and providing for the registration of certain persons and companies dealing in securities, this Act being a blue sky law superseding the present blue sky law of this State; etc., and declaring an emergency."

H. B. No. 456, "An Act amending Subdivision 63 of Article 199, Title 8, Revised Civil Statutes of Texas of 1925, providing for the terms of court in the Sixty-third Judicial District and the time of the holding of same; repealing Chapter 183, page 397, Acts of the Regular Session of the Forty-first

Legislature, 1929; validating all processes, writs, bonds, and recognizances of every kind and character heretofore issued or entered and all grand and petit jurors drawn and selected under the existing laws by the various counties affected by this Act, that same shall be returnable to and said jurors serve for the next term of court in the various counties affected, after the taking effect of this Act; providing the time for this Act to take effect, and declaring an emergency."

H. B. No. 356, "An Act amending Sections 3, 14, 16, 17, and 19 of the F. C. C. S. S. B. No. 49, Chapter 107, Acts of the Regular Session, Forty-first Legislature, 1929, relating to the salary of the Board of Pharmacy, providing renewal fees for licenses and prohibiting the use of the word 'Pharmacy' where no registered pharmacist is employed, and fixing penalties, and declaring an emergency."

H. B. No. 294, "An Act designating fur-bearing animals, declaring them the property of the State, declaring a five (5) year closed season on wild fox in Robertson County; providing a penalty for violation of this Act, and declaring an emergency."

H. B. No. 497, "An Act making certain emergency appropriations out of the General Fund of the State of Texas for the State Commission for the Blind's Department for the balance of the fiscal year ending August 31, 1935, and declaring an emergency."

H. B. No. 424, "An Act to amend Chapter 98 of the General Laws of the State of Texas as passed by the Regular Session of the Forty-first Legislature, by adding thereto Section 1-a, so as to provide for the purchase of a part of the law books for the Courts of Civil Appeals out of the court fees collected by said courts, and declaring an emergency."

URGING THE CONSIDERATION OF LEGISLATION TO AID DROUGHT-STRICKEN AREAS

Mr. McConnell offered the following resolution:

H. C. R. No. 94, Urging the consideration of legislation to aid drought-stricken areas.

Whereas, In addition to a most devastating depression during the last two years parts of the northern, western, and southern districts of Texas have encountered a most severe and destructive drought, thereby causing a loss of multiplied millions of dollars to the farmers and ranchmen of the said districts and likewise causing great losses to the State and Federal Governments; and

Whereas, History and statistics reveal that such portions of the great State of Texas almost invariably suffer for the want of sufficient rainfall during the dry summer months just at a time when precipitation is badly needed; and

Whereas, There is an urgent need at this time for both the State and Federal Governments to direct their early attention toward impounding and conserving water in such territory, taking necessary steps to develop irrigation projects, studying, promoting and developing methods of dry farming, studying the type of farm products and live stock, which can be profitably produced and more particularly adapted for such regions and likewise putting on an additional program among the people concerning these problems; therefore, be it

Resolved by the House of Representatives, and Senate concurring, That the Hon. Henry A. Wallace, Secretary of Agriculture, Washington, D. C., be respectfully requested to give more detailed consideration than has been heretofore given in the past, to the above vital and perplexing problems, and at an early date employ a sufficient number of agricultural agents to make a detailed study of such prevailing conditions; and, be it further

Resolved, That copies of this resolution be mailed to Senator Morris Sheppard and Senator Tom Connally, now in Washington, D. C., to each of the Texas Congressmen, to the Hon. Henry A. Wallace, Secretary of Agriculture, Washington, to Hon. Harold Ickes, Secretary of the Interior, Washington, D. C., and likewise a copy of this resolution be mailed to Hon. J. E. McDonald, Commissioner of Agriculture for the State of Texas.

Signed—McConnell, Davis, Bradbury, Gray, Bradford, Fain, Davison

of Fisher, Fisher, Lanning, Davisson of Eastland, Worley, Lemens, Tennyson, Payne, Dunlap of Kleberg, Head, Westfall, Lotief, Fuchs, Jones of Runnels, Lindsey, McFarland, Rogers, Moffett, Harris of Archer, Settle.

The resolution was read second time and was adopted.

TO PROVIDE FOR THE CONSIDERATION OF BILLS RELATING TO LABOR

Mr. Youngblood offered the following resolution:

Whereas, There is such a congestion of the House calendar, and there is so little time to consider the bills thereon; and

Whereas, There are numerous bills on the calendar pertaining to labor, which bills are very necessary to the welfare of the laboring people; and

Whereas, Article XVI, Section 35 of the Constitution of Texas, states that "the Legislature shall, at its first session, pass laws to protect laborers on public buildings, streets, roads, railroads, canals, and other similar public works, against the failure of contractors, and subcontractors to pay their current wages when due, and to make the corporation, company or individual for whose benefit the work is done, responsible for their ultimate payment"; and

Whereas, There is very little possibility of these measures being brought up in their regular order before the end of the session; therefore, be it

Resolved, That the members of the House of Representatives do bring these bills up out of their regular order for a special setting of night session. The bills to be considered are: House Bills Nos. 10, 30, 31, 32, 75, 93, House Joint Resolution No. 4, House Bills Nos. 155, 156, 268, 283, 391, 877, 409, 418, 419, 430, 434, 764 and House Simple Resolution No. 92.

Signed—Youngblood, Greathouse, McKee, Wood of Harrison, Jefferson, Smith, Farmer, Craddock, Caldwell, Fisher, Good, Bradford, Worley, Duvall, Hyder, Bradbury, Keefe, Settle, Cooper, Dunlap of Hays, Steward, Frazer, Morris, Latham, Roberts, Jackson, Herzik, Shofner, Calvert, Butler of Karnes, Collins, Spears, Rogers, Roark, Dwyer, Hofheinz, Scarborough, Dickison, Stanfield, Butler of Brazos, Davisson of Eastland, Celaya, Nicholson, Reader, Lange,

Young, Hankamer, Davison of Fisher, King, Roach of Hunt, McConnell, James, Holland, Quinn, Gibson, Lanning, Mauritz, Bourne, Jones of Falls, Tillery, Newton, Hanna, Cowley, Hill, Wells, Lucas, Tennyson, Howard, Dunagan, Patterson, Morse, Knetsch, Burton, McKinney, Padgett, Hoskins, Walker.

The resolution was read second time.

Mr. Youngblood moved that that section of the House Rules which provides that a resolution proposing to amend the Rules shall first be referred to the Committee on Rules before being considered by the House, be suspended at this time, for the purpose of considering the above resolution.

The motion prevailed by the following vote:

Yeas—87

Adamson	Knetsch
Atchison	Lange
Bourne	Lanning
Bradbury	Latham
Bradford	Lemens
Burton	Lotief
Butler of Brazos	Lucas
Butler of Karnes	Mauritz
Cagle	McCalla
Celaya	McConnell
Clayton	McFarland
Colquitt	McKee
Cooper	McKinney
Davis	Moore
Davisson	Morris
of Eastland	Morrison
Dunagan	Morse
Dunlap of Hays	Newton
Dwyer	Nicholson
Fain	Olsen
Farmer	Padgett
Fisher	Patterson
Ford	Payne
Frazer	Quinn
Gibson	Reader
Glass	Riddle
Greathouse	Roach of Angelina
Hardin	Roach of Hunt
Harris of Archer	Roark
Hartzog	Rogers
Hofheinz	Scarborough
Holland	Settle
Hoskins	Shofner
Huddleston	Smith
Hunter	Spears
Hyder	Stovall
James	Tennyson
Jefferson	Tillery
Jones of Atascosa	Venable
Jones of Shelby	Waggoner
Jones of Wise	Walker

Wells
Westfall
Wood of Harrison

Worley
Young
Youngblood

Nays—30

Aikin	Jones of Runnels
Alexander	Lindsey
Alsup	Moffett
Bergman	Palmer
Broyles	Petsch
Calvert	Pope
Canon	Reed of Bowie
Daniel	Reed of Dallas
Fox	Roane
Fuchs	Russell
Good	Rutta
Gray	Stinson
Harris of Dallas	Tarwater
Hodges	Thornton
Hunt	Wood of Montague

Present—Not Voting

England Herzik

Absent

Adkins	Head
Ash	Hill
Beck	Howard
Caldwell	Jackson
Collins	Jones of Falls
Colson	Keefe
Cowley	King
Craddock	Leath
Davison of Fisher	Leonard
Dunlap of Kleberg	Luker
Duvall	Roberts
Graves	Stanfield
Hankamer	Steward
Hanna	

Absent—Excused

Crossley Fitzwater
Dickison

Question recurring on the resolution, it was adopted by the following vote:

Yeas—92

Adamson	Davisson
Atchison	of Eastland
Beck	Dunagan
Bradford	Dunlap of Hays
Burton	Dwyer
Butler of Brazos	Fain
Butler of Karnes	Farmer
Cagle	Fisher
Caldwell	Ford
Celaya	Frazer
Clayton	Glass
Collins	Gray
Colquitt	Greathouse
Cooper	Hanna
Davis	Hardin

Harris of Archer	Morse
Harris of Dallas	Newton
Hartzog	Nicholson
Hofheinz	Olsen
Holland	Patterson
Hoskins	Payne
Hyder	Quinn
James	Reader
Jefferson	Reed of Dallas
Jones of Atascosa	Riddle
Jones of Runnels	Roach of Angelina
Jones of Shelby	Roach of Hunt
Jones of Wise	Roark
Keefe	Rogers
Knetsch	Settle
Lange	Shofner
Lanning	Smith
Latham	Spears
Leath	Stanfield
Lemens	Stovall
Lotief	Tennyson
Lucas	Tillery
Mauritz	Waggoner
McCalla	Walker
McConnell	Wells
McFarland	Westfall
McKee	Wood of Harrison
McKinney	Wood of Montague
Moffett	Worley
Moore	Young
Morris	Youngblood
Morrison	

Nays—30

Aikin	Hodges
Alexander	Huddleston
Alsup	Hunt
Bergman	Hunter
Bourne	Lindsey
Broyles	Palmer
Calvert	Petsch
Canon	Pope
Cowley	Reed of Bowie
Daniel	Roane
Fox	Russell
Fuchs	Scarborough
Good	Stinson
Graves	Thornton
Head	Venable

Present—Not Voting

England Rutta
Herzik

Absent

Adkins	Howard
Ash	Jackson
Bradbury	Jones of Falls
Colson	King
Craddock	Leonard
Davison of Fisher	Luker
Dunlap of Kleberg	Padgett
Duvall	Roberts
Gibson	Steward
Hankamer	Tarwater
Hill	

Absent—Excused

Crossley
Dickison

Fitzwater

RELATIVE TO COMMITTEE TO INVESTIGATE CERTAIN CORPORATIONS

The Speaker laid before the House, for consideration at this time, resolution by Mr. Hardin, providing for appointment of committee to investigate certain corporations, in regard to the distribution of milk;

The resolution having been read second time on March 28, and referred to the Committee on Federal Relations;

The Committee on Federal Relations having recommended the adoption of the resolution.

Mr. Hardin offered the following committee amendment to the resolution:

Amend the resolution by substituting therefor the following:

Whereas, Certain corporations are given permits to do business as foreign corporations in this State, particularly engaged in the dairy products and food products business, and all of said corporations being holding companies controlling vast number of subsidiaries have established in cities and towns in this State, subsidiary companies who are now engaged in the dairy products business and in the distribution of food products and many other products, and are, at the present time, conducting a sales campaign from house to house, making every effort to eliminate the retail milk dealer and retail dealers in dairy products and other food products, and are gradually but surely, through their practices which are highly prejudicial methods of selling food in this State, said practice being followed not only by foreign corporations but by Texas corporations in some instances, and the small dealers engaged in the above styled businesses are unable to compete with these gigantic monopolistic corporations who are using their immense amount of cash and securities to destroy our small dealers and producers. Through monopolistic agreements, setting of prices, these corporations are destroying competition and undermining individual efforts and initiative, and as soon as they have destroyed these indi-

viduals they lower prices to the point where the producer cannot even earn sufficient to pay for feed for his cattle. If these corporations are permitted to operate in the manner they are now operating they will soon destroy our small Texas corporations, our small dealers, and our individual producers, as these people will have to accept whatever the big corporations determine they will get, which leaves a monopoly in the hands of a few large corporations.

Whereas, It is further understood that these giant corporations are not paying a sufficient tax for the immense amount of business they do, and are depriving the State of immense amount of funds, although our milk dealers and producers are having to pay same. Further, it is understood that they are lowering their inventories in December for tax purposes and raising them again in January, after the period of taxation has passed. These corporations are now being investigated by the National Government, and it is the duty of this Legislature to investigate these giant milk and food monopolies and lend aid to our farmer, our dairyman and our small dealers throughout the State who are at present unable to eke out a bare living and are daily losing their cattle and farms to the money lenders throughout the State; now, therefore, be it

Resolved, That a committee of three members of the House of Representatives of the State of Texas be appointed by the Speaker of the House to investigate and report within twenty days to the present session of the Legislature on the activities of such trusts and corporations, and that a sum of \$500 be appropriated from the Contingent Funds to cover the cost of this investigation, and on report of such committee with its recommendations as to the passage of such laws as will properly protect the citizens of Texas to regulate the operation thereof and with recommendations of systems of taxation thereof, and, where necessary, place before this House such abuses as should be reported to the Attorney General to file suit to forfeit charters or for such suit said Attorney General thinks proper, and that any resolution or Acts necessary to carry out the recommendations of said

committee covered by any resolution offered in pursuance thereof be not required to have been included prior to the time of their introduction in this House in order to effect their precedents or standing in passage.

Mr. Fain offered the following amendments to the committee amendment:

Amend committee amendment No. 1 on page 2, under resolution clause, by striking out the words, "within twenty days to the present," and insert in lieu thereof the words, "to the next."

Amend committee amendment No. 1, under the resolving clause thereof, by striking out the words, "three members," and insert in lieu thereof the words, "five members."

Amend the resolution at the end thereof by adding the following:

"Be it further resolved, That the committee herein authorized shall investigate the charges of unfair practices within the dairy industry of this State, the causes of the decline of the price of milk paid to the producers, to investigate the cost of distribution of milk and its relation to prices paid to the milk producers."

The amendments were severally adopted.

The committee amendment as amended was adopted.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—83

Adkins	Gibson
Ash	Glass
Bergman	Graves
Bradbury	Gray
Butler of Brazos	Hanna
Caldwell	Hardin
Calvert	Harris of Dallas
Canon	Hartzog
Celaya	Hodges
Collins	Hofheinz
Colquitt	Howard
Cooper	Huddleston
Daniel	Hunt
Davis	Hunter
Davison of Fisher	Hyder
Davisson	James
of Eastland	Jones of Falls
England	Jones of Shelby
Fain	Jones of Wise
Farmer	Keefe
Frazer	King
Fuchs	Knetsch

Latham
Leath
Lemens
Leonard
Lotief
Lucas
Mauritz
McConnell
McFarland
McKee
McKinney
Moffett
Morris
Newton
Olsen
Padgett
Patterson
Payne
Petsch
Pope

Quinn
Reader
Reed of Dallas
Roach of Angelina
Roach of Hunt
Roark
Rutta
Smith
Stanfield
Steward
Stovall
Tarwater
Thornton
Tillery
Venable
Walker
Westfall
Wood of Harrison
Young
Youngblood

Nays—42

Adamson	Herzik
Aikin	Hill
Alexander	Holland
Alsup	Jackson
Atchison	Lanning
Beck	Lindsey
Bradford	Luker
Broyles	Morse
Burton	Nicholson
Butler of Karnes	Palmer
Clayton	Reed of Bowie
Cowley	Riddle
Craddock	Roane
Dunagan	Russell
Dunlap of Hays	Scarborough
Dunlap of Kleberg	Settle
Fisher	Shofner
Ford	Waggoner
Fox	Wells
Harris of Archer	Wood of Montague
Head	Worley

Present—Not Voting

Bourne	McCalla
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Absent

Cagle	Jones of Runnels
Colson	Lange
Duvall	Moore
Dwyer	Morrison
Good	Roberts
Greathouse	Rogers
Hankamer	Spears
Hoskins	Stinson
Jefferson	Tennyson
Jones of Atascosa	

Absent—Excused

Crossley	Fitzwater
Dickison	

Mr. Hardin moved to reconsider the vote by which the resolution was

adopted, and to table the motion to reconsider.

The motion to table prevailed.

**PROVIDING FOR APPOINTMENT
OF COMMITTEE TO INVESTI-
GATE "HOT OIL SITUATION"**

The Speaker laid before the House, for consideration at this time, resolution by Mr. Celaya, providing for appointment of a committee to investigate production of oil in Texas;

The resolution having been read second time on April 12, and referred to the Committee on Oil, Gas and Mining;

The Committee on Oil, Gas and Mining having recommended the adoption of the resolution.

Mr. Latham offered the following committee amendment to the resolution:

Whereas, For many months charges have been made that hundreds of thousands of barrels of "hot" oil are daily being produced within this State in violation of the laws of Texas and the orders of the Railroad Commission and the courts; and

Whereas, Said charges have been made, reiterated, and circulated by officials of the Government of the United States, by world leaders in the oil industry and by many others; and

Whereas, There have appeared various insinuations and charges against the integrity and conduct of various elected officials of the State of Texas; and

Whereas, It is not only highly important from an economic standpoint, but also essential to the honor and good name of our great State that a thorough and searching investigation be made to determine whether such charges and insinuations are true, and, if so, to study and recommend measures to correct the same, and to publish the true facts to the world; and

Whereas, The manifold and burdensome duties already imposed upon the Attorney General and the Railroad Commission and their assistants make it impossible, due to lack of sufficient personnel from those officials, to make the necessary investigation; now, therefore, be it

Resolved by the House of Representatives now in session, That a committee of five be appointed by the

Speaker, to serve without pay, to investigate the so-called "hot oil situation" to determine and report upon the truth of the charges commonly made and insinuations and charges against the integrity and conduct of elected representatives of the people of Texas, and to study and report upon corrective measures, if such are found to be necessary; and, be it further

Resolved, That said committee shall have full and complete authority to formulate rules of procedure, to summon witnesses, to issue subpoenas, subpoena duces tecum, attachment and all other writs and process necessary to effect the purposes of this resolution, to administer oaths to said witnesses, and to punish for contempt; and, be it further

Resolved, That said committee be authorized to employ such help to assist it in making up such investigation and in the formulation of the report, and further to pay the actual necessary and reasonable expenses of witnesses brought before the committee, and such other expenses as may be necessary to facilitate the work and purpose of the committee; and, that such expenses be paid by and through the chairman of the Contingent Expense Committee upon the certificate of the chairman of the committee, out of the Contingent Expense Fund of the Forty-fourth Legislature.

LATHAM,
STEWART.

Mr. Alsop moved that further consideration of the resolution be postponed until next Tuesday.

Mr. Celaya moved to table the motion by Mr. Alsop.

The motion to table prevailed.

Mr. Calvert offered the following amendment to the committee amendment:

Amend amendment to pending resolution by adding the following: "The five members appointed to make this investigation shall also constitute the committee provided for in House Simple Resolution No. 105."

On motion of Mr. Latham, the amendment was tabled.

Mr. Alsop offered the following amendment to the committee amendment:

Amend committee amendment to the resolution by providing that expenses of committee shall not exceed \$500.

Mr. Celaya moved to table the amendment by Mr. Alsup.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—65

Adamson	Jones of Falls
Adkins	King
Aikin	Knetsch
Ash	Latham
Butler of Brazos	Leath
Celaya	Leonard
Clayton	McFarland
Collins	McKee
Colquitt	McKinney
Cooper	Moore
Davison of Fisher	Morse
Davison	Newton
of Eastland	Nicholson
Dunlap of Hays	Padgett
Dunlap of Kleberg	Patterson
Dwyer	Petsch
Fain	Reed of Dallas
Frazer	Riddle
Gibson	Roberts
Glass	Rogers
Graves	Russell
Hankamer	Rutta
Hanna	Scarborough
Hardin	Settle
Harris of Dallas	Smith
Hartzog	Stanfield
Hill	Steward
Hofheinz	Stinson
Hoskins	Stovall
Howard	Thornton
Hyder	Venable
James	Wood of Harrison
Jefferson	Young
Jones of Atascosa	

Nays—67

Alexander	Fox
Alsup	Gray
Atchison	Greathouse
Beck	Harris of Archer
Bergman	Head
Bourne	Herzik
Bradbury	Hodges
Broyles	Holland
Burton	Huddleston
Butler of Karnes	Hunt
Cagle	Hunter
Calvert	Jackson
Canon	Jones of Runnels
Colson	Jones of Shelby
Cowley	Jones of Wise
Craddock	Lange
Daniel	Lanning
England	Lemens
Farmer	Lindsey
Fisher	Lotief

Lucas	Roach of Hunt
Luker	Roane
Mauritz	Roark
McCalla	Shofner
McConnell	Tennyson
Moffett	Tillery
Morris	Waggoner
Morrison	Walker
Palmer	Wells
Payne	Westfall
Pope	Wood of Montague
Quinn	Worley
Reed of Bowie	Youngblood
Roach of Angelina	

Absent

Bradford	Good
Caldwell	Keefe
Davis	Olsen
Dunagan	Reader
Duvall	Spears
Ford	Tarwater
Fuchs	

Absent—Excused

Crossley	Fitzwater
Dickison	

Question recurring on the amendment by Mr. Alsup, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—61

Alsup	Lanning
Atchison	Lemens
Beck	Lindsey
Bergman	Lucas
Bourne	Luker
Bradbury	McConnell
Bradford	McKee
Broyles	Moffett
Burton	Morris
Cagle	Morrison
Canon	Palmer
Colquitt	Payne
Cowley	Pope
Craddock	Quinn
Daniel	Reed of Bowie
Farmer	Roach of Angelina
Fisher	Roach of Hunt
Fox	Roane
Glass	Rutta
Gray	Shofner
Greathouse	Stovall
Harris of Archer	Tennyson
Head	Tillery
Hodges	Venable
Holland	Walker
Huddleston	Wells
Hunt	Westfall
Jackson	Wood of Montague
Jones of Runnels	Worley
Jones of Wise	Youngblood
Keefe	

Nays—69

Adamson	Jones of Atascosa
Adkins	Jones of Falls
Aikin	King
Alexander	Knetsch
Ash	Latham
Butler of Karnes	Leath
Caldwell	Leonard
Celaya	Lotief
Clayton	McCalla
Collins	McFarland
Colson	McKinney
Cooper	Moore
Davis	Morse
Davison of Fisher	Newton
Davisson	Nicholson
of Eastland	Padgett
Dunagan	Patterson
Dunlap of Hays	Petsch
Dunlap of Kleberg	Reed of Dallas
Dwyer	Riddle
Fain	Roark
Frazer	Roberts
Gibson	Rogers
Graves	Russell
Hankamer	Scarborough
Hanna	Settle
Harris of Dallas	Smith
Hartzog	Spears
Herzik	Stanfield
Hill	Steward
Hofheinz	Stinson
Hoskins	Thornton
Howard	Waggoner
James	Wood of Harrison
Jefferson	Young

Absent

Butler of Brazos	Hunter
Calvert	Hyder
Duvall	Jones of Shelby
England	Lange
Ford	Mauritz
Fuchs	Olsen
Good	Reader
Hardin	Tarwater

Absent—Excused

Crossley	Fitzwater
Dickison	

Mr. Alsup offered the following amendment to the committee amendment:

Amend committee amendment to the resolution by providing expenses of committee shall not exceed \$1,000.

Mr. Caldwell moved the previous question on the pending amendments and the resolution, and the main question was ordered.

Question recurring on the amendment by Mr. Alsup, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—70

Adkins	Keefe
Alsup	King
Ash	Lanning
Atchison	Lemens
Beck	Lindsey
Bergman	Lucas
Bradbury	Luker
Bradford	McConnell
Broyles	Moffett
Burton	Morris
Cagle	Morrison
Canon	Palmer
Cowley	Payne
Craddock	Pope
Daniel	Quinn
Davison of Fisher	Reed of Bowie
Davisson	Reed of Dallas
of Eastland	Roach of Angelina
England	Roach of Hunt
Fain	Roane
Farmer	Roark
Fisher	Rutta
Fox	Shofner
Glass	Stovall
Gray	Tarwater
Greathouse	Tennyson
Harris of Archer	Tillery
Head	Venable
Herzik	Waggoner
Hodges	Wells
Holland	Westfall
Huddleston	Wood of Harrison
Hunt	Wood of Montague
Jackson	Worley
Jones of Falls	Youngblood
Jones of Wise	

Nays—64

Adamson	Hill
Aikin	Hofheinz
Alexander	Hoskins
Bourne	Howard
Butler of Karnes	Hyder
Caldwell	James
Celaya	Jefferson
Clayton	Jones of Atascosa
Collins	Jones of Runnels
Colson	Knetsch
Cooper	Lange
Davis	Latham
Dunagan	Leath
Dunlap of Hays	Leonard
Dunlap of Kleberg	Lotief
Dwyer	McCalla
Frazer	McFarland
Fuchs	McKee
Gibson	McKinney
Graves	Moore
Hankamer	Morse
Hanna	Newton
Harris of Dallas	Nicholson
Hartzog	Padgett

Patterson
Petsch
Riddle
Roberts
Rogers
Russell
Scarborough
Settle

Smith
Spears
Stanfield
Steward
Stinson
Thornton
Walker
Young

Smith
Stanfield
Steward
Stinson
Stovall
Tarwater
Tennyson

Thornton
Venable
Waggoner
Wells
Worley
Young

Nays—50

Absent
Butler of Brazos
Calvert
Colquitt
Duvall
Ford
Good

Hardin
Hunter
Jones of Shelby
Mauritz
Olsen
Reader

Absent—Excused

Crossley
Dickison

Fitzwater

The committee amendment as amended was then adopted.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—84

Adamson
Adkins
Alexander
Ash
Bradbury
Broyles
Butler of Karnes
Caidwell
Celaya
Clayton
Collins
Colson
Cooper
Davis
Davison of Fisher
Davisson
of Eastland
Dunagan
Dunlap of Hays
Dunlap of Kleberg
Dwyer
Fain
Fisher
Frazer
Fuchs
Gibson
Glass
Hankamer
Hanna
Harris of Dallas
Hartzog
Herzik
Hill
Hofheinz
Hoskins
Howard

Hunter
Hyder
James
Jefferson
Jones of Atascosa
Jones of Falls
Jones of Runnels
Jones of Shelby
King
Knetsch
Lange
Latham
Leath
Lemens
Leonard
Lotief
Lucas
McCalla
McFarland
McKee
McKinney
Moore
Morse
Newton
Nicholson
Padgett
Patterson
Petsch
Reed of Dallas
Riddle
Roberts
Rogers
Russell
Rutta
Scarborough
Settle

Aikin
Alsup
Atchison
Beck
Bergman
Bourne
Bradford
Burton
Cagle
Canon
Cowley
Craddock
Daniel
England
Farmer
Fox
Gray
Greathouse
Harris of Archer
Head
Hodges
Holland
Huddleston
Hunt
Jackson

Jones of Wise
Keefe
Lanning
Lindsey
Luker
McConnell
Moffett
Morris
Morrison
Palmer
Payne
Pope
Quinn
Reed of Bowie
Roach of Angelina
Roach of Hunt
Roane
Roark
Shofner
Tillery
Walker
Westfall
Wood of Harrison
Wood of Montague
Youngblood

Present—Not Voting

Spears

Absent

Butler of Brazos
Calvert
Colquitt
Duvall
Ford
Good

Graves
Hardin
Mauritz
Olsen
Reader

Absent—Excused

Crossley
Dickison

Fitzwater

Mr. Latham moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, April 23, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 39, Authorizing the Adjutant General of the State of Texas to expend sums of money from the State Highway Department as may be necessary to acquire title for improving an adequate and appropriate entrance to Camp Mabry.

Respectfully,
BOB BARKER,
 Secretary of the Senate.

RECESS

On motion of Mr. Quinn, the House, at 12 o'clock m., took recess to 1:45 o'clock p. m., today.

AFTERNOON SESSION

The House met at 1:45 o'clock p. m., and was called to order by the Speaker.

ADDRESS BY HON. MARTIN DIES

In accordance with the provisions of House Concurrent Resolution No. 93, by Mr. Pope, Mr. Quinn, Mr. McKee et al., inviting Hon. Martin Dies to address a Joint Session of the House and Senate, the Honorable Senators, having been announced at the bar of the House, were admitted and escorted to seats.

Hon. Ken Regan, President Pro Tempore of the Senate, was escorted to the Speaker's stand.

Hon. Martin Dies, accompanied by Hon. J. E. McDonald, Commissioner of Agriculture of Texas; Senator Redditt, and Messrs. Quinn, King, and Howard, was escorted to a seat on the Speaker's stand.

Speaker Stevenson called the House of Representatives to order, and stated that the two houses were in Joint Session pursuant to the adoption of the resolution inviting Mr. Dies to address a Joint Session.

The Senate was called to order by Hon. Ken Regan, President Pro Tempore of the Senate.

Speaker Stevenson presented Hon. J. E. McDonald, who in turn introduced Hon. Martin Dies.

Mr. Dies then addressed the Joint Session.

RELATIVE TO HOUSE BILL NO. 59

Mr. Hardin moved to reconsider the vote by which the motion by Mr.

Graves that House Bill No. 59 be laid on the table subject to call, prevailed.

The point of order was raised that a motion to reconsider the vote by which a bill was laid on the table subject to call is not permissible under the Rules.

The Speaker overruled the point of order.

Mr. Alsup moved to table the motion by Mr. Hardin.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—76

Adamson	Jones of Runnels
Adkins	Jones of Shelby
Aikin	Jones of Wise
Alsup	Keefe
Atchison	Lange
Beck	Lanning
Bergman	Latham
Bourne	Lindsey
Bradbury	Lucas
Broyles	Mauritz
Burton	McConnell
Butler of Brazos	McFarland
Cagle	Moffett
Calvert	Morris
Canon	Morrison
Cooper	Newton
Craddock	Palmer
Daniel	Payne
Davis	Petsch
Davison of Fisher	Quinn
England	Reed of Bowie
Fain	Roach of Angelina
Farmer	Roach of Hunt
Fisher	Roark
Ford	Rutta
Fox	Scarborough
Gibson	Shofner
Glass	Stovall
Graves	Tarwater
Gray	Tennyson
Harris of Archer	Thornton
Head	Tillery
Hodges	Venable
Huddleston	Waggoner
Hunt	Walker
Hunter	Wells
Hyder	Westfall
Jones of Falls	Wood of Harrison

Nays—59

Alexander	Collins
Bradford	Colquitt
Butler of Karnes	Cowley
Caldwell	Dunagan
Celaya	Dunlap of Hays
Clayton	Dunlap of Kleberg

Duvall	McCalla
Dwyer	McKee
Frazer	McKinney
Fuchs	Moore
Good	Morse
Greathouse	Nicholson
Hankamer	Olsen
Hanna	Padgett
Hardin	Patterson
Harris of Dallas	Pope
Hartzog	Reader
Hill	Reed of Dallas
Hofheinz	Riddle
Holland	Roane
Hoskins	Roberts
Howard	Rogers
Jackson	Russell
James	Settle
Jefferson	Smith
Jones of Atascosa	Spears
King	Stanfield
Knetsch	Steward
Lotief	Young
Luker	

Present—Not Voting

Herzik	Worley
--------	--------

Absent

Ash	Leonard
Colson	Stinson
Leath	Wood of Montague
Lemens	Youngblood

Absent—Excused

Crossley	Dickison
Davisson	Fitzwater
of Eastland	

Mr. Graves gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 59, which bill was heretofore laid on the table subject to call.

LEAVE OF ABSENCE GRANTED

(By Unanimous Consent)

Mr. Davisson of Eastland was granted leave of absence for this afternoon on account of illness, on motion of Mr. Wells.

HOUSE BILL NO. 755 ON PASSAGE
TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 755, A bill to be entitled "An Act defining certain words, terms, phrases; imposing an occupation or excise tax on first sale of cigarettes, according to weight, with cer-

tain exception; providing payment of tax shall be evidenced by stamps affixed to each individual package, said stamps to be purchased in unbroken sheets of one hundred (100) stamps only from Treasurer only except through requisition from Comptroller; provided stamps may be purchased and affixed to packages of cigarettes by manufacturer thereof outside the State; exempting same from further taxation, etc., and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Petsch, amendment by Mr. Knetsch to the amendment by Mr. Petsch, and substitute amendment by Mr. Aikin for the amendment by Mr. Knetsch, pending.

Question recurring on the substitute amendment by Mr. Aikin, yeas and nays were demanded.

The substitute amendment was adopted by the following vote:

Yeas—83

Adamson	Herzik
Adkins	Hill
Aikin	Hodges
Alsup	Hunt
Ash	Hunter
Atchison	Hyder
Beck	Jones of Runnels
Bergman	Jones of Shelby
Bourne	Jones of Wise
Bradbury	Lanning
Bradford	Latham
Broyles	Lemens
Burton	Lindsey
Cagle	Lotief
Caldwell	Lucas
Canon	McConnell
Cooper	Moffett
Craddock	Morris
Davis	Morrison
Dunagan	Newton
Dunlap of Hays	Palmer
Dwyer	Payne
England	Pope
Fain	Quinn
Farmer	Reed of Bowie
Fisher	Roach of Hunt
Fox	Roane
Fuchs	Rogers
Gibson	Russell
Glass	Scarborough
Good	Shofner
Graves	Stanfield
Greathouse	Steward
Hankamer	Stinson
Hanna	Stovall
Hardin	Tarwater
Harris of Archer	Tennyson
Hartzog	Thornton

Tillery	Westfall
Venable	Worley
Waggoner	Young
Walker	Youngblood

Nays—39

Alexander	Luker
Butler of Brazos	Mauritz
Butler of Karnes	McCalla
Calvert	McFarland
Celaya	McKee
Collins	Moore
Colquitt	Nicholson
Davison of Fisher	Olsen
Gray	Padgett
Harris of Dallas	Patterson
Hofheinz	Petsch
Holland	Reed of Dallas
Hoskins	Roach of Angelina
Jackson	Roark
James	Roberts
Jefferson	Spears
Jones of Atascosa	Wells
Jones of Falls	Wood of Harrison
Keefe	Wood of Montague
Knetsch	

Absent

Clayton	King
Colson	Lange
Cowley	Leath
Daniel	Leonard
Dunlap of Kleberg	McKinney
Duvall	Morse
Ford	Reader
Frazer	Riddle
Head	Rutta
Howard	Settle
Huddleston	Smith

Absent—Excused

Crossley	Dickison
Davison	Fitzwater
of Eastland	

The amendment, as substituted, was then adopted.

Mr. Morrison moved to reconsider the vote by which the substitute amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

Mr. Knetsch offered the following amendment to the amendment by Mr. Petsch:

Amend amendment to House Bill No. 755, by striking out the words and figures "five per cent (5%)" wherever same appear in said amendment and insert in lieu thereof the following: "two per cent (2%)."

The amendment was adopted.

The amendment, as amended, was then adopted.

Mr. McCalla offered the following amendments to the bill:

Amend House Bill No. 755, page 25, by striking out all following the word "shipment," in line 32, and by striking out all of lines 33 through 36 and insert in lieu thereof the following:

"Provided, however, if the invoice furnished said distributing agent by the manufacturer or other person ordering such delivery, or the bill of lading prepared by said distributing agent to cover the shipment under said invoice, contains all the information required to be reported, it will be sufficient to send a copy of said invoice or invoices, or a copy of said bill of lading, or bills of lading, to the Comptroller daily."

Amend House Bill No. 755, page 25, by striking out lines 8 to 21, inclusive, and insert in lieu thereof the following:

"(c) Every distributing agent shall keep at each place of business in Texas, except as otherwise provided, for a period of two (2) years for the inspection at all times of the Comptroller and the Attorney General, a complete record of all cigarettes received by him, including all orders, bills of lading, waybills, freight bills, express receipts, and all other shipping records which are furnished to said distributing agent by the carrier and the shipper of said cigarettes, or copies thereof, and in addition thereto, a complete record of each and every distribution or delivery made by said distributing agent, such records of a distribution or delivery shall include all orders, invoices or copies thereof, and all other shipping records furnished by the carrier and the person ordering distribution or delivery of said cigarettes."

The amendments were severally adopted.

Mr. McKee offered the following amendment to the bill:

Amend House Bill No. 755 by adding a new section, to read as follows:

"26-a. When any person, firm, or corporation can show proof of loss of any cigarette stamps by fire and can show a settlement for the goods destroyed with any recognized insurance company doing business in this State, and said proof of loss is satisfactory to the Comptroller and the Treasurer, the Treasurer may, at the Board's discretion, replace said stamps or refund the value of said stamps."

On motion of Mr. Aikin, the amendment was tabled.

Mr. Lucas offered the following amendment to the bill:

Amend House Bill No. 755, page 8, Section 1 (a), by striking out all after the word "material" and insert in lieu thereof the following: "Provided the definition herein shall not be construed to include cigars."

Mr. Quinn raised a point of order on further consideration of the amendment by Mr. Lucas, on the ground that the amendment is not germane to the bill.

The Speaker overruled the point of order.

Question recurring on the amendment, it was adopted.

Mr. Cagle offered the following amendment to the bill:

Amend House Bill No. 755, page 24, line 35, by striking out "\$100" and insert in lieu thereof "\$10."

CAGLE,
JONES of Falls.

The amendment was lost.

Mr. Cagle offered the following amendment to the bill:

Amend House Bill No. 755, page 25, lines 24 and 25, by striking out the words "each day excepting Sundays and holidays," and inserting the words "each month."

CAGLE,
JONES of Falls.

On motion of Mr. Luker, the amendment was tabled.

Mr. Duvall offered the following amendment to the bill:

Amend House Bill No. 755 by adding after Section 31 a subsection to be known as Section 31-a, to read as follows:

"Section 31-a. The stamps now on hand in the office of the State Treasurer shall be used prior to the change in design in stamps, and no stamp or series of stamps, shall ever be destroyed when the State has a supply of stamps representing in excess of an investment of two thousand dollars."

On motion of Mr. Quinn, the amendment was tabled.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 755 was then passed to engrossment.

HOUSE BILL NO. 755 ON THIRD READING

Mr. Luker moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 755 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—120

Adamson	James
Adkins	Jones of Falls
Aikin	Jones of Runnels
Alexander	Jones of Shelby
Alsup	Jones of Wise
Atchison	King
Beck	Lange
Bergman	Lanning
Bourne	Latham
Bradbury	Lemens
Bradford	Leonard
Broyles	Lindsey
Burton	Lotief
Butler of Brazos	Lucas
Butler of Karnes	Luker
Cagle	Mauritz
Caldwell	McCalla
Calvert	McConnell
Canon	McKee
Clayton	McKinney
Colquitt	Moffett
Daniel	Moore
Davison of Fisher	Morris
Dunagan	Morrison
Dunlap of Hays	Morse
Dunlap of Kleberg	Newton
England	Nicholson
Fain	Olsen
Farmer	Padgett
Fisher	Palmer
Ford	Patterson
Fox	Petsch
Fuchs	Pope
Gibson	Quinn
Glass	Reader
Good	Reed of Bowie
Gray	Reed of Dallas
Greathouse	Riddle
Hankamer	Roach of Hunt
Hanna	Roane
Hardin	Roark
Harris of Archer	Roberts
Harris of Dallas	Rogers
Hartzog	Russell
Head	Rutta
Hill	Settle
Hodges	Shofner
Hofheinz	Smith
Hoskins	Spears
Howard	Stanfield
Hunt	Steward
Hunter	Stinson
Hyder	Stovall
Jackson	Tarwater

Tennyson	Westfall
Thornton	Wood of Harrison
Tillery	Wood of Montague
Venable	Worley
Walker	Young
Wells	Youngblood

Absent

Ash	Holland
Celaya	Huddleston
Collins	Jefferson
Colson	Jones of Atascosa
Cooper	Keefe
Cowley	Knetsch
Craddock	Leath
Davis	McFarland
Duvall	Payne
Dwyer	Roach of Angelina
Frazer	Scarborough
Graves	Waggoner
Herzik	

Absent—Excused

Crossley	Dickison
Davisson	Fitzwater
of Eastland	

The Speaker then laid House Bill No. 755 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—131

Adamson	England
Adkins	Fain
Aikin	Farmer
Alexander	Fisher
Alsup	Ford
Ash	Fox
Atchison	Frazer
Beck	Fuchs
Bergman	Gibson
Bourne	Glass
Bradbury	Good
Bradford	Gray
Broyles	Greathouse
Burton	Hankamer
Butler of Brazos	Hanna
Butler of Karnes	Hardin
Cagle	Harris of Archer
Caldwell	Harris of Dallas
Calvert	Hartzog
Canon	Head
Celaya	Hill
Clayton	Hodges
Collins	Hofheinz
Colquitt	Hoskins
Cooper	Howard
Daniel	Huddleston
Davison of Fisher	Hunt
Dunagan	Hunter
Dunlap of Hays	Hyder
Dunlap of Kleberg	Jackson
Duvall	James
Dwyer	Jones of Atascosa

Jones of Falls	Reader
Jones of Runnels	Reed of Bowie
Jones of Shelby	Reed of Dallas
Jones of Wise	Riddle
King	Roach of Hunt
Knetsch	Roane
Lange	Roark
Lanning	Roberts
Latham	Rogers
Lemens	Russell
Leonard	Rutta
Lindsey	Settle
Lotief	Shofner
Lucas	Smith
Luker	Spears
Mauritz	Stanfield
McCalla	Steward
McConnell	Stinson
McKee	Stovall
McKinney	Tarwater
Moffett	Tennyson
Moore	Thornton
Morris	Tillery
Morrison	Venable
Newton	Waggoner
Nicholson	Walker
Olsen	Wells
Padgett	Westfall
Palmer	Wood of Harrison
Patterson	Wood of Montague
Payne	Worley
Petsch	Young
Pope	Youngblood
Quinn	

Absent

Colson	Jefferson
Cowley	Keefe
Craddock	Leath
Davis	McFarland
Graves	Morse
Herzik	Roach of Angelina
Holland	Scarborough

Absent—Excused

Crossley	Dickison
Davisson	Fitzwater
of Eastland	

TO SUSPEND CERTAIN JOINT RULES

Mr. Hofheinz offered the following resolution:

H. C. R. No. 95, To suspend certain Joint Rules for the purpose of considering House Bill No. 365.

Be it resolved by the House of Representatives, the Senate concurring, That Joint Rules 23, 24, and 32 of both houses, be suspended for the sole purpose of permitting the House of Representatives to consider immediately House Bill No. 365, the general utility bill now pending in the House.

The resolution was read second time.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was lost by the following vote:

Yeas—63

Alexander	Knetsch
Alsup	Lange
Ash	Lanning
Beck	Latham
Bradbury	Leath
Burton	Lindsey
Calvert	Lucas
Collins	Mauritz
Cowley	McCalla
Davison of Fisher	Moffett
England	Morris
Fain	Morrison
Farmer	Padgett
Fisher	Palmer
Fox	Patterson
Gibson	Payne
Graves	Quinn
Hardin	Reed of Dallas
Harris of Archer	Roach of Hunt
Harris of Dallas	Roane
Hartzog	Roark
Head	Roberts
Herzik	Rogers
Hofheinz	Rutta
Howard	Smith
Huddleston	Spears
Hunt	Tarwater
Jones of Falls	Thornton
Jones of Runnels	Wells
Jones of Shelby	Wood of Montague
Jones of Wise	Youngblood
Keefe	

Nays—65

Adamson	Gray
Adkins	Greathouse
Aikin	Hankamer
Bergman	Hanna
Bourne	Hill
Bradford	Hodges
Broyles	Hoskins
Butler of Brazos	Hunter
Butler of Karnes	Hyder
Caldwell	Jackson
Canon	James
Celaya	Jones of Atascosa
Clayton	King
Colquitt	Leonard
Cooper	Luker
Craddock	McConnell
Davis	McFarland
Dunagan	McKee
Dunlap of Hays	McKinney
Dunlap of Kleberg	Moore
Dwyer	Morse
Frazer	Newton
Fuchs	Nicholson
Good	Olsen

Pope	Stovall
Reed of Bowie	Tennyson
Riddle	Venable
Roach of Angelina	Waggoner
Russell	Walker
Scarborough	Westfall
Settle	Wood of Harrison
Stanfield	Young
Stinson	

Absent

Atchison	Lemens
Cagle	Lotief
Colson	Petsch
Daniel	Reader
Duvall	Shofner
Ford	Steward
Glass	Tillery
Holland	Worley
Jefferson	

Absent—Excused

Crossley	Dickison
Davisson	Fitzwater
of Eastland	

HOUSE BILL NO. 749 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 749, A bill to be entitled "An Act amending Section 1, Section 2, Section 4, Section 5, Section 6, Section 7, Section 8, Section 9, Section 10, Section 11, Section 12, Section 13, Section 15, House Bill No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature, and providing that venue of criminal prosecution shall be in Travis County or in the county where an offense is committed; providing that conviction may be had upon the uncorroborated testimony of an accomplice, etc."

The bill was read second time.

Mr. Alexander offered the following amendment to the bill:

Amend House Bill No. 749 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That Section 1, House Bill No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature, be, and the same is hereby, amended so as to read hereafter as follows:

"Section 1. (a) 'Motor Fuel' shall mean and include any volatile or inflammable liquid by whatever name such liquid may be known or sold, which is used or usable, either alone

or when mixed or compounded, for the purpose of generating power for the propulsion of motor vehicles, including crude petroleum, if so used. The term 'motor fuel,' however, shall not include the product commonly known as kerosene, nor any other distillate of, or condensate from petroleum, or any other product with a flash point above 112 degrees Fahrenheit, according to the United States official closed testing cup method of the United States Bureau of Mines, except when such kerosene, distillate, condensate, or any other product, either alone or blended with motor fuel, is used in operating motor vehicles on the public highways.

"(b) 'Motor Vehicle' shall mean and include every vehicle operated upon the highways of this State which is propelled by the use of motor fuel.

"(c) 'Distributor' shall mean and include every person in this State who refines, manufactures, produces, blends or compounds motor fuel, or in any other manner acquires or possesses motor fuel and makes first sale of the same in this State; and it shall also include every person in this State who ships, transports, or imports any motor fuel into this State and makes the first sale of same in this State.

"(d) 'First Sale' shall mean and include the first sale, distribution or use in this State of motor fuel refined, blended, imported into, or in any other manner produced in, acquired, possessed or brought into this State.

"(e) 'Person' shall mean and include every individual, firm, association, joint stock company, syndicate, copartnership, corporation, trustee, agency or receiver.

"(f) 'Dealer' shall mean and include every person other than a distributor who engages in the business in this State of distributing or selling motor fuel within this State.

"(g) 'Public Highway' shall mean and include every way or place of whatever nature open to the use of the public as a matter of right for the purpose of vehicular travel.

"(h) 'Comptroller' shall mean Comptroller of Public Accounts of the State of Texas."

Sec. 2. That Section 2, House Bill No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature, be, and the same is hereby, amended so as to read hereafter as follows:

"Section 2. (a) There is hereby imposed an occupation or excise tax of four cents (4c) on each gallon of motor fuel or fractional part thereof. The said tax shall accrue and be paid as hereinafter provided upon the first sale in Texas.

"(b) The tax shall accrue on the first sale so that a single tax only will be collected on the same gallon of motor fuel, it being intended to impose the tax at its source in Texas, or as soon thereafter as such motor fuel may be subject to being taxed. No person, however, shall be required to pay a tax on motor fuel imported into this State in the tank of a motor vehicle, connected with and which feeds the carburetor or substitute therefor, in quantities of thirty (30) gallons or less when such motor fuel is actually used in said vehicle, and is not extracted from said tank for sale, distribution or use. Provided, however, that any manufacturer, producer or refiner in this State may, at his option, transfer the tax herein imposed upon the sale of casinghead gasoline, natural gasoline, or drip gasoline to any distributor holding a permit under the terms of House Bill No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature, as amended by this Act; provided further, that said manufacturer, producer or refiner shall keep in Texas for a period of two (2) years a complete record of every such sale of casinghead gasoline, natural gasoline or drip gasoline, upon which the tax is so transferred, upon the form manifest prescribed in Section 8 (b) of House Bill No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature, as amended by this Act, giving full details of such sale, as provided to be given in said form manifest. The manifest shall be signed by the manufacturer, producer or refiner and the duplicate manifest shall be delivered to the person receiving the casinghead gasoline, natural gasoline or drip gasoline; provided, further, with the exception of rail shipments, every person receiving said casinghead gasoline, natural gasoline or drip gasoline, or any part of the same, shall receipt on the manifest for the quantity received by him. Provided, further, with the exception of rail shipments, said manufacturer, producer or refiner shall report each and every sale upon which the tax is so transferred, to the Comptroller

within five (5) days after making the same, giving full details of such sale, as provided to be given in the form manifest aforesaid. Provided, further, that said manufacturer, producer or refiner, before making a first sale of casinghead gasoline, natural gasoline, or drip gasoline to any person other than a distributor holding a permit under the terms of House Bill No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature, as amended by this Act, shall obtain a distributor's permit and furnish a surety bond, and in all respects qualify as a distributor of motor fuel.

"(c) No tax shall be imposed on any motor fuel, the imposing of which would constitute an unlawful burden on interstate commerce and which is not subject to be taxed under the Constitution of the State of Texas and the United States; and provided, that the tax imposed herein shall be in lieu of any other excise or occupation tax imposed by the State or any political subdivision thereof, on motor fuel.

"(d) Every distributor making first sale of motor fuel shall pay to the State of Texas an occupation or excise tax equal to four cents (4c) per gallon or fractional part thereof, so sold, distributed, or used, and such tax shall be due and payable at the office of the Comptroller at Austin, Texas, on the twentieth day of each month, the same to be based on such sales or use made during the calendar month next preceding, and at the same time, such distributor shall make and deliver to the Comptroller a report properly sworn to and executed by such distributor or his representative in charge, on such forms as the Comptroller shall prescribe, which, among other things, shall give the number of gallons of motor fuel sold, distributed or used, intrastate and interstate, and exported during the preceding calendar month, and the number of gallons of motor fuel used, distributed or lost by fire or otherwise upon which no tax is paid. Provided, also that the said report shall include the exact quantity of crude oil or petroleum products used or consumed during the period covered by the report in the manufacturing, refining, or processing of motor fuel.

"(e) Provided, however, that the tax on one per cent (1%) of the taxable gallonage shall be deducted by the distributor to cover losses and

the expense of complying with the provisions hereof.

"(f) If any distributor, or other person, shall export or lose by fire or other accident, any motor fuel, so that the same may never be made use of within this State, after the tax has been paid on such motor fuel, claim for refund may be made in the manner hereinafter provided, or as the Comptroller may direct. However, no claim shall be made for such loss due to any one accident or export of less than one hundred (100) gallons. Provided, however, that showing must be made that said tax was paid, and the Comptroller shall deduct from such refund made under the provisions of this Act, the one per cent (1%) allowed above.

"(g) The tax herein imposed shall be posted separately from the price of the motor fuel, wherever sold in this State."

Sec. 3. That Section 4, House Bill No. 247, Chapter 44, General Laws of the Forty-third Legislature, Regular Session, be, and the same is hereby, amended so as to read hereafter as follows:

"Section 4. Upon receipt of the application and the bond hereinafter provided for, the Comptroller shall issue to every distributor a non-assignable, consecutively numbered permit authorizing the first sale of motor fuel or its substitute in this State from the date of the issuance of said permit, until and including the following December 31. On or before January 1 of each year, and before any distributor shall make a first sale of motor fuel or engage in selling motor fuel after January 1, an application shall be filed and a permit obtained for the calendar year, where such first sale would be subject to the tax. Said permit shall provide that the same is revocable and shall be suspended upon violation of any provisions of this Act, or any reasonable rule or regulation adopted by the Comptroller. If such permit is revoked or suspended, said distributor shall not make a first sale of any motor fuel until a new permit is granted or the suspension of the old permit removed. Provided, however, that no permit shall be issued if the applicant is delinquent for any motor fuel taxes."

Sec. 4. That Section 5, House Bill No. 247, Chapter 44, General Laws of the Forty-third Legislature, Regular

Session, be, and the same is hereby amended so as to read hereafter as follows:

"Section 5. If any distributor has violated any provision of House Bill No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature, or any provision of this Act and the Comptroller desires to forfeit or suspend his permit, he shall give written notice to the distributor, stating the reasons justifying forfeiture or suspension of such permit, and that the same shall be forfeited five (5) days from date of service of said notice unless said distributor purge himself of such violation and pay any penalties that may be due. Provided, however, that if the Comptroller illegally attempts to revoke or suspend said permit, said distributor, by giving at least two (2) days notice to the Comptroller, may file a suit in equity in any court of Travis County, Texas, having jurisdiction to enjoin the Comptroller's act and at any time after the expiration of said period the Comptroller may suspend or forfeit said permit unless enjoined. Any notice may be mailed to the distributor at any place disclosed by the application for distributor's permit or may be served in person or left with the person in charge of the distributor's business."

Sec. 5. That Section 6, House Bill No. 247, Chapter 44, General Laws of the Forty-third Legislature, Regular Session, be, and the same is hereby amended so as to read hereafter as follows:

"Section 6. (a) Before any permit shall be issued and before engaging in the first sale of motor fuel in Texas, every distributor shall execute and file with the Comptroller a good and sufficient surety bond, which shall run concurrently with the permit required of a distributor to be obtained. The said bond shall be signed by said distributor and a good and sufficient surety company or companies authorized to do business in this State, to be approved by the Comptroller, in an amount not less than one thousand dollars (\$1,000) nor more than twenty-five thousand dollars (\$25,000), payable to the State of Texas, and conditioned upon the full, complete, and faithful performance of all the conditions and requirements of the law taxing motor fuel, on a form to be prescribed by the Comptroller with the approval of the Attorney General,

expressly providing for the performance of said obligation and the payment of all taxes, costs, penalties, and interest at Austin, Texas. The amount of any bond required of any distributor shall be fixed by the Comptroller, and subject to the limitations herein provided, additional bond shall be required by the Comptroller at any time an existing bond becomes insufficient, unsatisfactory, or unacceptable. However, the distributor may demand a reduction of his bond after six (6) months from the effective date hereof in a sum to be not more than three times the highest tax said distributor has paid for any month during the preceding six (6) months, but which shall never be less than the minimum nor more than the maximum aforesaid. Provided that the Comptroller shall have the authority at his discretion to permit any distributor to make reports and payments at shorter intervals than one (1) month, and in such cases to accept bonds based on the shorter intervals, but expressly provided that no bond accepted by the Comptroller based upon shorter intervals of payment of tax shall ever be less than one thousand dollars (\$1,000).

"(b) The Comptroller shall have the right, if, in his opinion, the amount of any existing bond shall become insufficient, or any surety on a bond shall become unsatisfactory or unacceptable, to require the filing of a new or an additional bond. Should the distributor fail or refuse to supply a new or an additional bond within ten (10) days after demand, the Comptroller shall forthwith cancel said distributor's permit. When said new bond has been furnished, the Comptroller shall cancel the bond for which said new bond is substituted. No recoveries on any bond or execution of any new bond or renewal of a permit shall invalidate any bond. A new bond may be demanded when any new permit is issued or revived, but no revocation or revival shall affect the validity of any bond.

"(c) Any surety on any bond furnished by any distributor as above provided shall be released and discharged from any and all liability to the State of Texas accruing on such bond after the expiration of thirty (30) days from the date upon which such surety shall have lodged with the Comptroller written request to be released and discharged. Provided, however, that such request shall not

operate to relieve, release, or discharge such surety from any liability already accrued, or which shall accrue before the expiration of said thirty (30) day period. The Comptroller shall promptly on receipt of notice of such request notify the distributor who furnished such bond, and unless such distributor shall on or before the expiration of such thirty (30) day period, file with the Comptroller a new bond with a surety company duly authorized to do business under the laws of the State, in the amount and form hereinbefore in this Act provided, the Comptroller shall forthwith cancel the license of said distributor. If such new bond shall be furnished by said distributor as above provided, the Comptroller shall cancel and surrender the bond for which such new bond is substituted.

“(d) That in lieu of giving a bond, any distributor may deposit in the Suspense Account of the State Treasury, money in the amount of the bond that may be required, which shall never be released until securities are substituted for the same or a bond executed in lieu thereof, or until the Comptroller has made a complete and thorough investigation and authorized the same to be released; and provided, in lieu of cash or the bond required by this Act, such distributor may deposit securities with the Comptroller, that shall be acceptable to him. Said securities shall be placed in the Treasury as other securities, but in all events shall be of the same class as the funds of the University of Texas may be legally invested in. Provided, however, that if, in the opinion of the Comptroller, the cash or securities so deposited shall become insufficient for the purpose for which they were deposited, he shall demand additional cash or securities, and upon the failure or refusal of distributor to supply the additional cash or securities within ten (10) days after demand, the Comptroller shall forthwith cancel the distributor's permit. Providing when default of payment of taxes is made by any distributor who has money and/or securities deposited with the State Treasurer in lieu of a bond as herein provided, suit shall be instituted by the State and after the State has established its debt for delinquent taxes by judgment of court, money on deposit in Suspense Account shall be withdrawn therefrom and shall be used to pay off and satisfy such judgment, and provided further,

if securities are on deposit with the State Treasurer, such securities shall be sold by the Comptroller, and the proceeds of sale shall be used in paying off and satisfying said judgment.

“Provided, further, in event a distributor enters into written agreement to pay taxes levied under the provisions of this Act at intervals or dates more frequent than monthly, failure to comply with such written agreement shall constitute sufficient cause for cancellation of permit forthwith by the Comptroller. Written notice mailed to the distributor at the address reflected in the application for permit, or delivered in person by a representative of the Comptroller, to agents in charge shall be considered as sufficient notice of such cancellation.”

Sec. 6. That Section 7, House Bill No. 247, Chapter 44, General Laws of the Forty-third Legislature, Regular Session, be, and the same is hereby, amended so as to read hereafter as follows:

“Section 7. All taxes, fines, penalties and interest due by any distributor to the State shall be a preferred lien, first and prior to any and all other existing liens, contract or statutory, legal or equitable, and regardless of the time such liens originated, upon all the property of any distributor, devoted to or used in his business as a distributor, which property shall include refinery, blending plants, storage tanks, warehouses, office buildings and equipment, tank trucks or other motor vehicles, stocks on hand of every kind and character whatsoever used or usable in such business, including crude oil or other materials for the manufacture, refining, blending or compounding of motor fuels and the refined products therefrom and the proceeds from the sale of such materials and refined products, and any other property of every kind and character whatsoever and wherever situated devoted to such use, and each tract of land on which such refinery, blending plant, tanks or other property is located, or which is used in carrying on such business.

“If any distributor shall fail to remit proper taxes due, the Comptroller may employ auditors or other persons to ascertain the correct amount due, and if such taxes have not been properly remitted, the distributor shall pay the reasonable expenses incurred in

such investigation and audit as additional penalty. Provided, however, that all funds paid to the auditors of the Comptroller as expenses incurred in making audits, shall be placed in a special fund in the State Treasury, which shall be used until exhausted for making other audits, and said sums are hereby appropriated for that purpose. Provided, that nothing herein shall prevent the Comptroller, when said fund is exhausted, from using other funds available for that purpose."

Sec. 7. That Section 8, House Bill No. 247, Chapter 44, General Laws of the Forty-third Legislature, Regular Session, be, and the same is hereby, amended so as to read hereafter as follows:

"Section 8. (a) Every distributor shall keep in Texas for a period of two (2) years for the inspection at all times of the Comptroller and the Attorney General, or their authorized representatives, a complete record of all crude oil and other oil or products from which such distributor may refine or blend any motor fuel or other derivatives of crude petroleum that is sold or used by him, and his record shall show the date of receipt and source of all such crude oil and other oil or products; also it shall show all sales of the same as and when made from stocks on hand, the quantity refined or blended, and inventories on the first of each month.

"Every distributor shall also keep in Texas for a period of two (2) years a complete record of all motor fuel, casinghead gasoline, natural or drip gasoline and other derivatives of crude petroleum or its products, purchased or received by said distributor. Such records shall show the date received, from whom purchased or received, the quantity received, the commodity or kind of product received, and such other information as will provide a complete record of the disposition of said products. He shall also keep for a period of two (2) years a complete record of inventories on the first of each month of all motor fuel, casinghead gasoline, natural gasoline or drip gasoline or other derivatives of crude petroleum or its products.

"(b) Every distributor shall keep also in Texas for a period of two (2) years a complete record of each and every sale, distribution or use of motor fuel, crude oil, kerosene, naphtha,

distillate, casinghead gasoline, drip gasoline, and natural gasoline, and other products used or usable for the purpose of generating power for the propulsion of motor vehicles, regardless of whether or not a tax is due upon said products under the provisions of this Act; and providing that the record of each such sale, distribution or use of such commodities shall include the date of any such transaction, the name and address of each purchaser or user, and the amount of any such commodity so sold or used. And it is especially provided that any such sale, distribution or use of motor fuel shall be recorded upon a form of manifest to be prescribed or approved by the Comptroller and furnished by the distributor. Said manifest shall be issued in not less than duplicate counterparts, numbered consecutively. Said manifest shall be printed and the counterparts shall be printed on paper of different color and shall contain thereon the name of the distributor, his address, the serial number of said manifest, and spaces shall be provided thereon wherein shall be shown the date of sale, distribution or use, the purchaser or other recipient and his address, the quantity sold, the means of delivery, including the license number and description if delivered into or by a motor vehicle or trailer, the number and initial if delivered by tank car, the name or description if delivered by boat or barge, and the opening and closing record of meter readings or tank gauges if delivered by pipe line, the time of delivery into the tank wagon, trailer, or other conveyance; provided, however, that rail shipments shall be supported by regular bills of lading. The said manifest shall reflect separately the tax involved in the sale apart from the cost of motor fuel, less the tax. The manifest shall be properly made out and signed by the distributor, and any manifest reflecting a delivery by a distributor to a purchaser or other receiver shall also be signed both by the distributor and the purchaser or other recipient. Every person receiving from a distributor said motor fuel and reselling or redelivering the same in quantities exceeding fifty gallons at any one time shall likewise record said transaction upon similar manifests.

"It is the intent and object of this section to require that every person

transporting motor fuel required to be recorded upon manifests in quantities exceeding the fuel contained in the fuel tank of a motor vehicle shall carry with said motor fuel at all times a manifest and shall issue a manifest to the purchaser or receiver of all or any part of the motor fuel so being transported, and to require that such purchaser or receiver shall receipt on said manifest for the quantity so delivered and received, and that one counterpart of the manifest shall be delivered to the purchaser, to be retained by him for inspection by the Comptroller and Attorney General, and that another counterpart shall be retained by the distributor or other seller for like purposes.

"Provided, further, however, that where a distributor markets his products through his own service stations, that as to said service stations, it will be sufficient to keep the records at said service stations, hereinafter required by this Act to be kept by dealers.

"(c) For the purpose of enabling the Comptroller or his authorized representatives to determine the tax liability of a distributor, refinery, or other persons, dealing in or possessing motor fuel, crude oil, or other derivatives of crude petroleum or its products or to determine whether a tax liability has been incurred, they shall have the right to inspect any premises where crude petroleum and or motor fuel, or any other derivative of crude petroleum or its products is produced, made, prepared, stored, transported, sold or offered for sale or exchange, examine all of the records required herein to be kept, or any other pertinent records that may be kept incident to the conduct of the business of said distributor, refinery, or other person, dealing in or possessing motor fuel, crude oil, or other derivatives of crude petroleum or its products. The said authorized officers shall also have the right, as an incident to determining said tax liability, or whether a tax liability has been incurred, to examine and gauge or measure the contents of all storage tanks, containers and other property or equipment, and to take samples of any and all products stored therein. For the foregoing purposes, said authorized officers shall also have the right to remain upon said premises for such length of time as will be necessary to fully determine said tax

liability, or whether a tax liability has been incurred.

"(d) If any distributor fails or refuses to pay any tax, penalties, or interest within the time and manner provided by this Act, and it becomes necessary to bring suit or to intervene in any manner for the establishment or collection of said claim, in any judicial proceedings, any report filed in the office of the Comptroller by such distributor or his representative, or a certified copy thereof certified to by the Comptroller or Chief Clerk, showing the amount of motor fuel sold by such distributor or his representative, on which such tax, penalties, or interest have not been paid, or any audit made by the Comptroller or his representative from the books of said distributor, when signed and sworn to by such representative as being made from the records of said distributor or person from whom such distributor has bought, received, or delivered motor fuel whether from a transportation company or otherwise, such report or audit shall be admissible in evidence in such proceedings, and shall be prima facie evidence of the contents thereof; provided, however, that the incorrectness of said report or audit may be shown.

"(e) In the event the Attorney General shall file suit or claim for taxes and attach or file as an exhibit any report or audit of said distributor, and an affidavit made by the Comptroller or his representative that the taxes shown to be due by said report or audit are past due and unpaid, that all payments and credits have been allowed, then, unless the party resisting the same shall file an answer in the same form and manner as required by Article 3736, Revised Civil Statutes of Texas of 1925, as amended by Chapter 239, Acts of the Regular Session of the Forty-second Legislature, said audit or report shall be taken as prima facie evidence thereof, and the proceedings of said article are hereby made applicable to suits to collect taxes hereunder."

Sec. 8. That Section 9, House Bill No. 247, Chapter 44, General Laws of the Forty-third Legislature, Regular Session, be, and the same is hereby amended so as to read hereafter as follows:

"Section 9. If any distributor shall (a) make a first sale of any motor fuel upon which a tax is required to be paid without at the time having a

valid permit, or (b) fail to keep any of the records required to be kept by the provisions of this Act, or (c) fail to make the reports or remittances required by Section 2 hereof, or (d) if any distributor or other person affected by this Act shall fail or refuse to abide by the provisions hereof, and the rules and regulations promulgated under House Bill No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature, as amended by this Act, or violate the same, he shall forfeit to the State as a penalty, the sum of not less than ten dollars (\$10), nor more than five hundred dollars (\$500). Each day's violation shall constitute a separate offense and incur another penalty, which, if not paid, shall be recovered in a suit by the Attorney General in a court of competent jurisdiction in Travis County, Texas, or any other court having jurisdiction. Provided, however, that in addition to the penalties shown, if the distributor does not make the remittance within the time prescribed by law, he shall forfeit two per cent (2%) of the amount of the tax due. And if not paid within twenty (20) days from the due date, he shall forfeit an additional eight per cent (8%) penalty. All past due taxes and penalties shall draw interest at the rate of ten per cent (10%) per annum. •

"The venue of any suit, injunction, or other proceeding at law or in equity available for the establishment or collection of any claim for delinquent taxes, penalties, or interest accruing hereunder and the enforcement of the terms and provisions of this Act shall be in a court of competent jurisdiction in Travis County, Texas, or in any other court having venue under existing venue statutes."

Sec. 9. That Section 10, House Bill No. 247, Chapter 44, General Laws of the Forty-third Legislature, Regular Session, be, and the same is hereby amended so as to read hereafter as follows:

"Section 10. Every distributor at the time of making the report required by Section 2 (d) of House Bill No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature, as amended by this Act, shall attach legal tender or make proper form of money order or exchange thereto payable to the State Treasurer in the amount of tax for the period covered by such report."

Sec. 10. That Section 11, House Bill No. 247, Chapter 44, General Laws of the Forty-third Legislature, Regular Session, be, and the same is hereby amended so as to read hereafter as follows:

"Section 11. Every dealer shall keep at each place of business for a period of two (2) years for the inspection at all times for the Comptroller and the Attorney General or their authorized representatives the manifest furnished by the seller, as required herein, and in addition thereto a book record which will provide complete information of all motor fuels, naphtha, kerosene, distillate, gas oil, fuel oil and/or casinghead gasoline, natural or drip gasoline purchased or received by him at each place of business, and inventories on the first of each month of such products. Such record shall show the date received, the name and address of the person from whom purchased or received, the number of gallons, the designation by name of the particular kind of motor fuel or other products purchased or received, the point from which shipped or delivered, the point at which received, the number and initials of car if shipped by rail, the name of the boat or barge if shipped by water, and the license number and description if received by motor vehicle or trailer, and, in addition, the total daily sales, designating the particular kind of motor fuel, kerosene, naphtha, distillate, gas oil, fuel oil, casinghead gasoline and/or natural or drip gasoline sold or delivered whether the same be taxable or not under the provisions of this Act.

"Upon each sale, distribution, or use of any motor fuel, casinghead gasoline, natural gasoline, or drip gasoline in quantities of fifty (50) gallons or more, every dealer shall be required to issue and keep for a period of two years a manifest made up as required by Section 8 (b) of House Bill No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature, as amended by this Act, giving full details of such sale, as provided to be given in said form manifest. The duplicate of said manifest shall be delivered to the purchaser or carrier, as the case may be."

Sec. 11. That Section 12, House Bill No. 247, Chapter 44, General Laws of the Forty-third Legislature,

Regular Session, be, and the same is hereby, amended so as to read hereafter as follows:

"Section 12. (a) Every common carrier in this State having the custody of books or records showing the transportation of motor fuel, both interstate and intrastate, shall give and permit the Comptroller or his duly authorized representatives free access to such books and records.

"(b) All persons operating railroads, trucks, pipe lines, and other conveyances as common carriers in the transportation of motor fuel into and from this State, shall render a sworn report to the Comptroller not later than the twentieth of each month, showing a description of the tank car, truck, or other conveyances in which the same was transported on such forms as shall be prescribed by Comptroller, which was transported by such persons during the preceding month. There shall also be included in said report full data concerning the diversion of shipments en route as amount to a change from interstate to intrastate and intrastate to interstate commerce. Provided, that no report be made by any such persons transporting motor fuel in quantities of less than twenty (20) gallons. Such report shall show the points of origin and destination, the number of gallons shipped, the date, the consignee and the consignor and the kind of motor fuel.

"(c) All carriers, excepting railroads and pipe lines, shall carry manifest issued by distributors or dealers in compliance with Section 8 (b) of House Bill No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature, as amended by this Act. All records provided for in this Act shall be kept by said carrier in Texas for a period of two (2) years, and shall at all times be subject to the inspection of the Comptroller or Attorney General or their authorized representatives.

"In order to enforce the provisions of this Act, the Comptroller, his tax supervisors, or other authorized representatives, any highway patrolman, sheriff, constable and his deputies and all other peace officers are empowered to stop any motor vehicle which might appear to be transporting motor fuel or other derivatives of crude petroleum or its products as cargo for the purpose of examining the manifest required to be carried, for exam-

amination of the commodity in transit, to take samples of the cargo, and for such other investigations as could reasonably be made to determine whether the cargo was motor fuel or other derivatives of crude petroleum or its products, and whether manifest indicated that the State tax was a part of the consideration involved in the sale or distribution of any motor fuel carried. If, upon said examination, it is found that the driver of any such motor vehicle transporting motor fuel does not possess or refuses to exhibit a manifest required herein, or if said manifest carried is false or incomplete said authorized officers shall impound and take possession of the said motor vehicle and its contents, and, unless proof is produced, within seventy-two (72) hours from the beginning of such impoundment, that the motor fuel has been sold with the State tax as a part of the consideration therefor, the sheriff or the constable of the county in which said impoundment is made shall proceed to sell the said motor fuel in the manner provided by law for the sale of personal property under execution in this State. Upon said sale the sheriff or constable shall first pay to the Comptroller or his authorized representative the State tax due upon said motor fuel. The sheriff or constable shall receive such fees as are now allowed by law in the sale of personal property under execution in this State for the services rendered by him. The balance of said sum shall be turned over to the rightful owner of said motor fuel after deducting the reasonable expenses incurred in impounding and selling the same. Provided in the event a distributor or dealer is transporting motor fuel from his own storage under circumstances in which no sale is involved, the manifest of said motor fuel shall be exhibited showing such fact.

"(d) Any person violating any provision of this section shall be liable for the penalty prescribed in Section 9 of House Bill No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature, as amended by this Act. Provided, no report or information is required herein, the requiring of which would be a violation of the laws and Constitution of the United States or Texas, or an unlawful burden on interstate or foreign commerce."

Sec. 12. That Section 13, House Bill No. 247, Chapter 44, General Laws of the Forty-third Legislature, Regular Session, be, and the same is hereby, amended so as to read hereafter as follows:

"Section 13. (a) Any person who purchases motor fuel in the State of Texas and any distributor who appropriates motor fuel for use, when such motor fuel purchased by such person or used by such distributor for operating or propelling any stationary gas engine or tractor used for agricultural purposes, motor boats, air craft or for any other purpose other than use in a motor vehicle operated or intended to be operated in whole or in part upon any of the public highways, roads and streets of the State of Texas, on which motor fuel tax has been paid either directly or indirectly, shall be refunded the amount of such taxes so paid by the distributor, exclusive of the deduction for evaporation and loss in the manner and subject to the limitations and conditions described herein. Provided, however, that no greater amount shall be refunded than has been paid into the State Treasury on any motor fuel. The tax actually paid by any distributor or person shall be refunded as provided herein on motor fuel not subject to the tax.

"(b) Upon each purchase by such person and upon each appropriation for use of motor fuel by a distributor, or other person, an invoice of exemption shall be made out at the time of such purchase or of such appropriation for use, which shall state the number of gallons of motor fuel thus purchased or appropriated, the purpose for which it will be used or is intended to be used, the date and place of purchase or appropriation, the name of the purchaser or user, the name of the agent or employe actually making the purchase or appropriation, if any, the seller and place of business of seller, the manner of delivery and place of delivery with the price of the motor fuel and tax stated separately, and the said invoice of exemption shall show thereon such other information as the Comptroller may require, and no refund shall be allowed unless the seller at the time of any such sale, or the person at the time of making any such appropriation, and not thereafter, executes such an invoice of exemption as pro-

vided above; and further provided, that any person selling motor fuel and issuing invoices of exemption to the purchaser must make and keep copies of such invoices of exemption for a period of two (2) years in the same manner, and subject to the same examination, as required of other records of motor fuel to be kept.

"(c) When a claimant purchases or acquires for use motor fuel upon which a refund of the tax may be due, he shall, within six (6) months from the date of purchase of motor fuels upon which a refund is claimed, and not thereafter, file with the Comptroller an affidavit on such forms as may be prescribed by the Comptroller. Said affidavit shall include a statement as to the source or place of purchase or acquisition of such motor fuel used for purposes other than in propelling motor vehicles over the highways of this State, that the information stated in the attached invoice of exemption is true and correct, and the manner in which said motor fuel was used, and that no part of said motor fuel was used in propelling motor vehicles over the highways of this State. Said affidavit shall be accompanied by the invoice of exemption above referred to, and the Comptroller may require other affidavits in such form and time as he may deem advisable, and if he finds that such claims are just, and that the taxes claimed have actually been paid by the claimant, then he shall, within sixty (60) days issue warrant or warrants for the amounts due claimant, but no warrant shall be paid by the State Treasurer after twelve (12) months from the date thereof, and if such warrant is not presented within twelve (12) months from the date thereof, claimant shall forfeit his right to the refund. No refund shall be made where motor fuel is used later than six (6) months from the date of purchase or appropriation and no refund shall ever be made where it appears from the invoice or from the affidavits or other evidence submitted that the sale or purchase was made more than six (6) months prior to the date of the filing of the application for refund in the office of the Comptroller. No refund of the tax shall be allowed on motor fuel used in any registered or licensed motor vehicle or in any motor vehicle operated or intended to be operated

in whole or in part upon any of the highways, roads and streets of this State.

"(d) All filing fees shall be paid into the State Treasury and be paid out on vouchers and warrants on appropriations made by the Legislature as prescribed by law.

"(e) All the moneys paid into the Treasury under the provisions of this Act, except the filing fees above, shall be set aside in a special fund to be known as the Highway Motor Fuel Tax Fund and no part of said fund shall be credited to the Available School Fund until a report is made by the Comptroller to the Treasurer, showing the total maximum amount of refunds that may be required to be paid by the State out of said funds. The Comptroller shall, on the twentieth day of each month, or as soon thereafter as is possible, compute and ascertain the maximum amount of funds that may be due by the State on sale of motor fuel during the preceding month, upon which a refund may be due, and shall certify to the Treasurer the maximum amount, and the Treasurer shall reserve said amount each month out of which to pay refunds, and shall not distribute that part of said fund until the expiration of the time in which a refund can be made out of said fund, but as soon as said report has been made by the Comptroller, and the maximum amount of refunds determined, he shall deduct said maximum amount from the total taxes paid for such month, and apply the remainder of such as provided in Section 6, Chapter 13, Acts of the Third Called Session of the Forty-second Legislature. If claimant has lost or loses, or for any reason failed or fails to receive warrant after warrant was or has been issued by the Comptroller, and upon satisfactory proof of such, the Comptroller may issue claimant duplicate warrant as provided for in Article 4365, Revised Civil Statutes of Texas, but in no event shall a duplicate warrant be issued after one year from date of original warrant.

"(f) So much of said fund is hereby appropriated and set aside as may be necessary to pay the refunds provided for herein, and if a specific amount be necessary then there is hereby appropriated and set aside for said purpose the sum of two hundred thousand dollars (\$200,000), or so much thereof as may be necessary. In

no event shall any refund be made to any person in excess of the actual amount paid by such person, and the amount deducted originally by the distributor shall be deducted in computing the refund. The Comptroller shall deduct one dollar (\$1) from all such refunds as a filing fee, which fee shall be deducted from the warrant issued in payment of such refund."

Sec. 13. That Section 15, House Bill No. 247, Chapter 44, General Laws of the Forty-third Legislature, Regular Session, be, and the same is hereby, amended so as to read hereafter as follows:

"Section 15. (a) Whoever shall knowingly transport in any manner any motor fuel, casinghead gasoline, drip gasoline, or natural gasoline under false manifest, or whoever shall knowingly transport any of the foregoing named commodities in any tank, barrel, cask, receptacle, or container of any kind, other than thirty (30) gallons of motor fuel in fuel tank feeding the carburetor of motor vehicle, without then and there possessing or exhibiting upon demand by an authorized officer a manifest, or while transporting any of the foregoing named commodities shall wilfully refuse to stop the motor vehicle he is operating when called upon to do so by a person authorized hereunder to stop said motor vehicle, or shall refuse to permit the examination of his records and cargo by said authorized person, or shall refuse to surrender his truck and cargo for impoundment when ordered to do so by a person authorized hereunder to impound said motor vehicle and cargo, or whoever shall refuse to permit the inspection of any premises where crude petroleum, motor fuel, or other derivatives of crude petroleum or its products are produced, made, prepared, stored, transported, sold, or offered for sale or exchange, by any person authorized to inspect such premises, or shall refuse to permit said authorized person to examine and gauge or measure the contents of all storage tanks and containers on said premises, or to take samples therefrom, or shall refuse to permit the inspection of all equipment on said premises by said authorized person, or whoever shall wilfully forge or falsify any invoice of exemption as herein provided for, or whoever shall wilfully and knowingly make any false statement in any claim for refund made or filed as to any

material fact required to be given, or whoever as distributor shall make a first sale of any motor fuel upon which a tax is required to be paid without having at the time of said sale a valid permit as required, or whoever as the agent, employe or representative of a distributor, shall make a first sale of any such motor fuel knowing that such distributor does not have a valid permit, or whoever as distributor or the agent, employe, or representative of distributor shall knowingly make, deliver to and file with the Comptroller a false and incomplete return or report or fail to make and deliver to the Comptroller a return or report as required to be made, or whoever as distributor or dealer, or as the agent, employe, or representative of a distributor or dealer, shall destroy, mutilate or secrete any of the books and records required to be kept, or shall refuse to permit the Comptroller, the Attorney General or their authorized representatives to inspect, examine, and audit any books and records required to be kept, or any other pertinent record incident to the conduct of the business that may be kept, or shall knowingly make any false entry or fail to make entries in the books and records required to be kept by a distributor or dealer, or shall fail to keep for a period of two (2) years in Texas any books and records required to be kept by a distributor or dealer, shall be guilty of a felony and shall be punished by confinement in the State penitentiary for not more than five (5) years or by confinement in the county jail for not less than one (1) month nor more than six (6) months or by a fine of not less than one hundred dollars (\$100) nor more than five thousand dollars (\$5,000) or by both such fine and jail imprisonment.

"(b) In addition to the foregoing penalties, it is herein provided that a conviction for any of the above named offenses shall automatically forfeit the right of said convicted person to obtain a permit as distributor for a period of two (2) years."

Sec. 14. That House Bill No. 247, Chapter 44, General Laws of the Forty-third Legislature, Regular Session, be, and the same is hereby, amended by the insertion of a new section to be known as Section 15-a to read as follows:

"Section 15-a. Venue of prosecution under Section 15 of House Bill No. 247, Chapter 44, General Laws of

the Forty-third Legislature, as amended by this Act, for any violation as provided under the preceding section shall be in Travis County, Texas, or in the county in which the violation occurred."

Sec. 15. That Section 16, House Bill No. 247, Chapter 44, General Laws of the Forty-third Legislature, Regular Session, be, and the same is hereby, amended so as to read hereafter as follows:

"Section 16. Before any diversion or allocation of the motor fuel tax collected under the provisions of this Act is made, one per cent (1%) of the gross amount of said tax shall be set aside in the State Treasury in a special fund, subject to the use of the Comptroller in the administration and enforcement of the provisions of this Act, and so much of the said proceeds of one per cent (1%) of the motor fuel tax paid monthly as may be needed in such administration and enforcement be, and is hereby, appropriated for said purpose. Any unexpended portion of said fund so specified shall at the end of each biennium revert to the respective funds or accounts in proper proportions to which the motor fuel tax fund is allocated at the end of each biennium.

"Provided further, that the Comptroller shall create a Motor Fuel Tax Division and at his discretion, appoint a director and assistant of such Motor Fuel Tax Division so created and this appropriation or so much thereof as shall be necessary shall be used in the administration and enforcement of the terms and requirements of this Act, which shall include: The salaries of the present force and of a director not to exceed three thousand dollars (\$3,000) per year; assistant director, auditors, and tax supervisors, none to exceed two thousand four hundred dollars (\$2,400) per year; assistant auditors, accountants, and investigators none to exceed one thousand eight hundred dollars (\$1,800) per year; and salaries paid other employes shall be at prevailing rates set by the Comptroller for the class of service performed within limitations fixed in the regular appropriations for the Comptroller's Department, and so much thereof as may be necessary for a chemist and necessary testing equipment or laboratory fees, postage, telephone, telegraph, express, drayage, office equipment and supplies, stationery, court costs, and all expenses incident to the preparation for

and trial of cases not otherwise provided for in the statute, bond premiums, traveling expenses, office rent, the purchase of necessary automobiles and maintenance therefor as transportation for tax supervisors and auditors, and all other expenses necessary and proper to the efficient administration and enforcement of the Act.

"There shall also be assigned by the Attorney General two Assistant Attorneys General to the Motor Fuel Tax Division who shall give their entire time to the legal duties of said department and whose salaries and necessary traveling expenses shall be paid out of said appropriation at the prevailing rate fixed for Assistant Attorneys General."

Sec. 16. If any article, section, subsection, sentence, clause, or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act and each section, subsection, sentence, clause, and phrase hereof irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Sec. 17. The fact that the Act sought to be amended hereby contains certain defects and omissions which seriously hinder and impair the effective administration and enforcement of said Act and the collection of taxes levied thereby, which omissions and defects are sought to be corrected hereby, creates an emergency and an imperative public necessity that the constitutional rule, requiring that bills be read on three several days in each House, be suspended, and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

ALEXANDER,
TARWATER.

Mr. Leonard offered the following amendment to the amendment by Mr. Alexander:

Amend amendment to House Bill No. 749 by changing the period to a comma after the word "purpose" in line 33, page 16, of the mimeographed amendment, and by adding after the comma the following: "and all expenditures out of said fund shall be in the amounts and for the purposes

fixed by the Legislature in the General Appropriation Bill."

LEONARD,
AIKIN.

The amendment was adopted.

Mr. Leonard offered the following amendment to the amendment by Mr. Alexander:

Amend amendment to House Bill No. 749 by striking out all beginning with line 38, page 16, of the mimeographed bill to and including line 10 on page 17.

The amendment was adopted.

Mr. Farmer offered the following amendment to the amendment by Mr. Alexander:

Amend amendment to House Bill No. 749 as follows: Add after the word "distributor" in line 54, page 2, the words "manufacturer, producer or refiner using or".

On motion of Mr. Tarwater, the amendment was tabled.

The committee amendment, as amended, was then adopted.

Mr. Alexander offered the following amendment to the bill:

Amend House Bill No. 749 by striking out all above the enacting clause and inserting in lieu thereof the following:

"H. B. No. 749,

A BILL To Be Entitled

An Act amending Section 1, Section 2, Section 4, Section 5, Section 6, Section 7, Section 8, Section 9, Section 10, Section 11, Section 12, Section 13, Section 15, Section 16, House Bill No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature; fixing the venue of any suit, injunction or criminal prosecution under this Act; providing that whoever knowingly shall transport any motor fuel, casinghead gasoline, drip gasoline or natural gasoline without possessing or exhibiting upon demand a manifest therefor, or whoever shall refuse to surrender his truck and cargo for impounding when ordered to do so by proper persons, or whoever shall refuse to permit the inspection of premises where petroleum or petroleum products are produced, made, stored, transported, or sold by any authorized person, or whoever shall refuse to

permit inspection of all equipment on said premises, or whoever shall refuse to permit authorized persons to examine and gauge the contents of storage tanks or take samples therefrom, or whoever shall fail to make and deliver to the Comptroller a report as required by law, or whoever shall fail to keep for a period of two years in Texas the records required to be kept, shall be guilty of a felony punishable by confinement in the State Penitentiary or the county jail or by fine, or by both such fine and imprisonment, and upon conviction shall automatically forfeit the right to obtain a permit for a period of two years; providing and appropriating funds for administration and enforcement of this Act; providing that if any part of this Act is found unconstitutional that such holding shall not impair or invalidate other parts of the Act, and declaring an emergency."

ALEXANDER,
TARWATER.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 749 was then passed to engrossment.

HOUSE BILL NO. 749 ON THIRD READING

Mr. Alexander moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 749 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—127

Adamson	Calvert
Aikin	Canon
Alexander	Celaya
Alsup	Clayton
Ash	Collins
Atchison	Colquitt
Beck	Cooper
Bergman	Cowley
Bourne	Craddock
Bradbury	Daniel
Bradford	Davis
Broyles	Dunagan
Burton	Dunlap of Hays
Butler of Karnes	Dunlap of Kleberg
Cagle	Duvall

Dwyer	McCalla
England	McConnell
Fain	McFarland
Farmer	McKee
Fisher	McKinney
Ford	Moffett
Fox	Moore
Frazer	Morris
Fuchs	Morrison
Gibson	Morse
Glass	Newton
Good	Nicholson
Gray	Olsen
Greathouse	Padgett
Hankamer	Palmer
Hanna	Patterson
Hardin	Pope
Harris of Archer	Reader
Harris of Dallas	Reed of Bowie
Hartzog	Reed of Dallas
Head	Roach of Angelina
Herzik	Roach of Hunt
Hodges	Roane
Hoskins	Roark
Howard	Roberts
Huddleston	Rogers
Hunt	Russell
Hunter	Rutta
Hyder	Scarborough
Jackson	Settle
James	Shofner
Jefferson	Smith
Jones of Atascosa	Stanfield
Jones of Falls	Steward
Jones of Runnels	Stovall
Jones of Shelby	Tarwater
Jones of Wise	Tennyson
Keefe	Thornton
King	Tillery
Knetsch	Venable
Lange	Waggoner
Lanning	Walker
Latham	Wells
Lemens	Westfall
Lindsey	Wood of Harrison
Lotief	Wood of Montague
Lucas	Worley
Luker	Youngblood
Mauritz	

Absent

Adkins	Leath
Butler of Brazos	Leonard
Caldwell	Payne
Colson	Petsch
Davison of Fisher	Quinn
Graves	Riddle
Hill	Spears
Hofheinz	Stinson
Holland	Young

Absent—Excused

Crossley	Dickison
Davisson	Fitzwater
of Eastland	

The Speaker then laid House Bill No. 749 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—129

Adamson	Jackson
Aikin	Jefferson
Alexander	Jones of Atascosa
Alsup	Jones of Falls
Ash	Jones of Runnels
Atchison	Jones of Shelby
Beck	Jones of Wise
Bergman	Keefe
Bourne	King
Bradbury	Knetsch
Bradford	Lanning
Broyles	Latham
Burton	Lemens
Butler of Karnes	Leonard
Calvert	Lindsey
Canon	Lotief
Celaya	Lucas
Clayton	Luker
Collins	Mauritz
Colquitt	McCalla
Cooper	McConnell
Cowley	McFarland
Craddock	McKee
Daniel	McKinney
Davis	Moffett
Dunagan	Moore
Dunlap of Hays	Morris
Dunlap of Kleberg	Morrison
Duvall	Newton
Dwyer	Nicholson
England	Olsen
Fain	Padgett
Farmer	Palmer
Fisher	Patterson
Fox	Payne
Frazer	Pope
Fuchs	Reader
Gibson	Reed of Bowie
Glass	Reed of Dallas
Good	Riddle
Gray	Roach of Angelina
Greathouse	Roach of Hunt
Hankamer	Roane
Hanna	Roark
Hardin	Roberts
Harris of Archer	Rogers
Harris of Dallas	Russell
Hartzog	Rutta
Head	Scarborough
Herzik	Settle
Hodges	Shofner
Hofheinz	Smith
Holland	Spears
Hoskins	Stanfield
Howard	Steward
Huddleston	Stovall
Hunt	Tarwater
Hunter	Tennyson
Hyder	Thornton

Tillery
Venable
Waggoner
Walker
Wells
Westfall

Wood of Harrison
Wood of Montague
Worley
Young
Youngblood

Absent

Adkins	Hill
Butler of Brazos	James
Cagle	Lange
Caldwell	Leath
Colson	Morse
Davison of Fisher	Petsch
Ford	Quinn
Graves	Stinson

Absent—Excused

Crossley	Dickison
Davisson	Fitzwater
of Eastland	

HOUSE BILL NO. 201 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 201, A bill to be entitled "An Act repealing Article 307 of the Revised Civil Statutes of Texas, 1925; further providing that said Act shall be effective on and after July 1, 1937."

The bill was read third time, and was passed.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, April 23, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee to adjust the difference between the two houses on House Bill No. 11. The following have been appointed on the part of the Senate: Senators Westerfeld, Moore, Oneal, DeBerry, and Rawlings.

The Senate has appointed on the conference committee of House Bill No. 417, Senator Van Zandt to serve in the place left vacant by the resignation of Senator Pace.

The Senate has adopted

S. C. R. No. 42, Endorsing Hon. Margie E. Neal for appointment to the Social Security Board.

The Senate has granted the request of the House for a conference committee to adjust the differences between the two houses on House Bill

No. 327. The following have been appointed on the part of the Senate: Senators Redditt, Duggan, Poage, Sanderford, and Davis.

Respectfully,
BOB BARKER,
Secretary of the Senate.

SENATE BILL NO. 227 ON SECOND READING

The Speaker laid before the House (in lieu of House Bill No. 509), on its second reading and passage to third reading,

S. B. No. 227, A bill to be entitled "An Act creating a State Conservation Board, providing for its duties, fixing the membership thereof, providing for its organization, conferring on it authority to adopt rules and regulations governing its organization and the conduct of its business, providing its authority, etc."

The bill was read second time.

Mr. Morrison raised a point of order on further consideration of Senate Bill No. 227, on the ground that the bill violates certain constitutional provisions.

RECESS

On motion of Mr. Reed of Bowie, the House, at 5:15 o'clock p. m., took recess to 7:30 o'clock p. m., today.

NIGHT SESSION

The House met at 7:30 o'clock p. m., and was called to order by the Speaker.

Mr. Broyles moved a call of the House for the purpose of maintaining a quorum until 10 o'clock p. m., today, and the call was duly ordered.

On motion of Mr. Alsup, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

The roll of the House was called, and the following members were present:

Mr. Speaker	Bradbury
Adamson	Bradford
Adkins	Broyles
Aikin	Burton
Alexander	Butler of Brazos
Alsup	Butler of Karnes
Ash	Cagle
Bourne	Calvert

Canon	Lucas
Celaya	Luker
Collins	Mauritz
Colquitt	McCalla
Cooper	McConnell
Cowley	McFarland
Craddock	McKee
Davis	Moffett
Davison of Fisher	Moore
Dickison	Morris
Dunagan	Morse
Dunlap of Hays	Newton
Dwyer	Nicholson
England	Olsen
Fain	Padgett
Farmer	Patterson
Fisher	Payne
Fox	Petsch
Frazer	Pope
Fuchs	Quinn
Gibson	Reader
Glass	Reed of Bowie
Good	Reed of Dallas
Graves	Roach of Angelina
Gray	Roach of Hunt
Greathouse	Roane
Hanna	Roark
Hardin	Roberts
Harris of Archer	Rogers
Harris of Dallas	Russell
Hartzog	Rutta
Head	Settle
Herzik	Shofner
Hill	Smith
Hofheinz	Stanfield
Holland	Stinson
Hoskins	Stovall
Hunt	Tarwater
Hunter	Tennyson
Jackson	Thornton
James	Tillery
Jones of Falls	Venable
Jones of Runnels	Waggoner
Jones of Shelby	Walker
Jones of Wise	Wells
Keefe	Westfall
Knetsch	Wood of Harrison
Lemens	Wood of Montague
Leonard	Worley
Lindsey	Young
Lotief	Youngblood

Absent

Atchison	Huddleston
Beck	Hyder
Bergman	Jefferson
Caldwell	Jones of Atascosa
Clayton	King
Colson	Lange
Daniel	Lanning
Dunlap of Kleberg	Latham
Duvall	Leath
Ford	McKinney
Hankamer	Morrison
Hodges	Palmer
Howard	Riddle

Scarborough Steward
Spears

Absent—Excused

Crossley Fitzwater
Davisson
of Eastland

A quorum was announced present.

HOUSE BILL NO. 645 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 645, A bill to be entitled "An Act to amend Article 3521, Title 54, Revised Civil Statutes of the State of Texas, revision of 1925, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 645 ON THIRD READING

Mr. McCalla moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 645 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108

Agamson	Fuchs
Adkins	Glass
Aikin	Good
Alexander	Graves
Alsup	Gray
Ash	Hankamer
Bourne	Hanna
Bradbury	Hardin
Bradford	Harris of Archer
Broyles	Harris of Dallas
Burton	Head
Butler of Brazos	Hodges
Butler of Karnes	Hofheinz
Cagle	Holland
Calvert	Hoskins
Canon	Hunter
Celaya	Jackson
Collins	James
Colquitt	Jones of Falls
Cowley	Jones of Runnels
Craddock	Jones of Shelby
Davison of Fisher	Jones of Wise
Dunagan	Keefe
Dwyer	King
England	Knetsch
Fain	Lanning
Farmer	Latham
Fisher	Leonard
Fox	Lindsey

Lotief	Roach of Angelina
Lucas	Roach of Hunt
Luker	Roark
Mauritz	Roberts
McCalla	Rogers
McConnell	Russell
McFarland	Rutta
McKee	Shofner
McKinney	Smith
Moffett	Stanfield
Moore	Stinson
Morris	Stovall
Morrison	Tarwater
Morse	Tennyson
Newton	Thornton
Nicholson	Venable
Olsen	Waggoner
Padgett	Walker
Patterson	Wells
Payne	Westfall
Petsch	Wood of Harrison
Pope	Wood of Montague
Quinn	Worley
Reader	Young
Reed of Bowie	Youngblood

Present—Not Voting

Roane

Absent

Atchison	Herzik
Beck	Hill
Bergman	Howard
Caldwell	Huddleston
Clayton	Hunt
Colson	Jefferson
Cooper	Jones of Atascosa
Daniel	Lange
Davis	Leath
Dickison	Lemens
Dunlap of Hays	Palmer
Dunlap of Kleberg	Reed of Dallas
Duvall	Riddle
Ford	Scarborough
Frazer	Settle
Gibson	Spears
Greathouse	Steward
Hartzog	Tillery

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 645 before the House on its third reading and final passage.

The bill was read third time, and was passed.

SENATE BILL NO. 242 ON SECOND READING

The Speaker laid before the House (in lieu of House Bill No. 428), on its second reading and passage to third reading,

S. B. No. 242, A bill to be entitled "An Act to amend Article 2317 of the Revised Civil Statutes of Texas, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 242 ON SECOND READING

Mr. Colquitt moved that the constitutional rule, requiring bills to be read on there several days, be suspended, and that Senate Bill No. 242 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—115

Adamson	Holland
Adkins	Hoskins
Aikin	Howard
Alexander	Hunter
Alsup	Jackson
Ash	James
Atchison	Jefferson
Bourne	Jones of Falls
Bradbury	Jones of Runnels
Bradford	Jones of Shelby
Broyles	Jones of Wise
Burton	Keefe
Butler of Karnes	King
Cagle	Knetsch
Calvert	Lanning
Canon	Lemens
Celaya	Leonard
Clayton	Lindsey
Collins	Lotief
Colquitt	Lucas
Cowley	Luker
Craddock	Mauritz
Davison of Fisher	McCalla
Dickison	McConnell
Dunagan	McFarland
Dwyer	McKee
England	McKinney
Fain	Moffett
Farmer	Moore
Fisher	Morris
Ford	Morrison
Fox	Morse
Glass	Newton
Good	Nicholson
Graves	Olsen
Gray	Padgett
Hankamer	Patterson
Hanna	Payne
Hardin	Petsch
Harris of Archer	Pope
Harris of Dallas	Quinn
Hartzog	Reader
Head	Reed of Bowie
Herzik	Roach of Angelina
Hofheinz	Roach of Hunt
Hodges	Roark

Roberts	Thornton
Rogers	Venable
Russell	Waggoner
Rutta	Walker
Scarborough	Wells
Shofner	Westfall
Smith	Wood of Harrison
Stanfield	Wood of Montague
Stinson	Worley
Stovall	Young
Tarwater	Youngblood
Tennyson	

Absent

Beck	Hill
Bergman	Huddleston
Butler of Brazos	Hunt
Caldwell	Jones of Atascosa
Colson	Lange
Cooper	Latham
Daniel	Leath
Davis	Palmer
Dunlap of Hays	Reed of Dallas
Dunlap of Kleberg	Riddle
Duvall	Roane
Frazer	Settle
Fuchs	Spears
Gibson	Steward
Greathouse	Tillery

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid Senate Bill No. 242 before the House on its third reading and final passage.

The bill was read third time, and was passed.

SENATE BILL NO. 505 ON SECOND READING

The Speaker laid before the House (in lieu of House Bill No. 965), on its second reading and passage to third reading,

S. B. No. 505, A bill to be entitled "An Act authorizing the Lower Colorado River Authority to issue bonds not to exceed twenty million dollars (\$20,000,000) in aggregate principal amount, repealing that portion of the Colorado River Authority Act limiting the amount of bonds which may be issued by such district to ten million dollars (\$10,000,000), and all other laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 505 ON THIRD
READING

Mr. Hoskins moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 505 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Adamson	Jones of Atascosa
Adkins	Jones of Falls
Alexander	Jones of Runnels
Alsup	Jones of Shelby
Ash	Jones of Wise
Atchison	Keefe
Bourne	King
Bradbury	Lanning
Bradford	Latham
Broyles	Lemens
Burton	Leonard
Butler of Brazos	Lindsey
Butler of Karnes	Lotief
Cagle	Lucas
Calvert	Luker
Canon	Mauritz
Celaya	McConnell
Clayton	McFarland
Colquitt	McKee
Cowley	McKinney
Craddock	Moffett
Davison of Fisher	Morris
Dickison	Morrison
Dunagan	Morse
Dwyer	Newton
England	Nicholson
Fain	Olsen
Farmer	Padgett
Fisher	Patterson
Ford	Payne
Fox	Petsch
Fuchs	Pope
Gibson	Quinn
Glass	Reader
Graves	Reed of Bowie
Gray	Roach of Angelina
Greathouse	Roark
Hankamer	Roberts
Hanna	Rogers
Hardin	Russell
Harris of Archer	Rutta
Harris of Dallas	Scarborough
Hartzog	Settle
Head	Shofner
Herzik	Smith
Hodges	Stanfield
Hofheinz	Stinson
Holland	Stovall
Hoskins	Tarwater
Howard	Tennyson
Hunt	Thornton
Hunter	Waggoner
Jackson	Walker
James	Wells

Westfall	Worley
Wood of Harrison	Young
Wood of Montague	Youngblood

Nays—4

Aikin	McCalla
Good	Venable

Present—Not Voting

Roane

Absent

Beck	Huddleston
Bergman	Jefferson
Caldwell	Knetsch
Collins	Lange
Colson	Leath
Cooper	Moore
Daniel	Palmer
Davis	Reed of Dallas
Dunlap of Hays	Riddle
Dunlap of Kleberg	Roach of Hunt
Duvall	Spears
Frazer	Steward
Hill	Tillery

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid Senate Bill No. 505 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—112

Adamson	Farmer
Adkins	Fisher
Alexander	Ford
Alsup	Fox
Ash	Fuchs
Atchison	Gibson
Bourne	Glass
Bradbury	Gray
Bradford	Greathouse
Broyles	Hankamer
Burton	Hanna
Butler of Brazos	Hardin
Butler of Karnes	Harris of Archer
Cagle	Harris of Dallas
Calvert	Hartzog
Canon	Head
Celaya	Herzik
Clayton	Hodges
Colquitt	Hofheinz
Cowley	Holland
Craddock	Hoskins
Davison of Fisher	Howard
Dickison	Hunt
Dunagan	Hunter
Dwyer	Jackson
England	James
Fain	Jefferson

Jones of Atascosa	Pope
Jones of Falls	Quinn
Jones of Runnels	Reed of Bowie
Jones of Shelby	Roach of Angelina
Jones of Wise	Roach of Hunt
Keefe	Roark
King	Roberts
Knetsch	Rogers
Lanning	Russell
Lemens	Rutta
Leonard	Scarborough
Lindsey	Settle
Lotief	Shofner
Lucas	Smith
Luker	Stanfield
Mauritz	Stinson
McConnell	Stovall
McFarland	Tarwater
McKee	Tennyson
McKinney	Thornton
Moffett	Tillery
Morris	Waggoner
Morrison	Walker
Morse	Wells
Newton	Westfall
Nicholson	Wood of Harrison
Olsen	Wood of Montague
Padgett	Worley
Patterson	Young
Payne	Youngblood
Petsch	

Nays—4

Aikin	McCalla
Good	Venable

Absent

Beck	Hill
Bergman	Huddleston
Caldwell	Lange
Collins	Latham
Colson	Leath
Cooper	Moore
Daniel	Palmer
Davis	Reader
Dunlap of Hays	Reed of Dallas
Dunlap of Kleberg	Riddle
Duvall	Roane
Frazer	Spears
Graves	Steward

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

HOUSE BILL NO. 169 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 169, A bill to be entitled "An Act increasing the amount that may be allowed by county boards of trustees to the county superintendents

of public instruction for expenditures for office and traveling expenses in counties with a population of not less than seventy-seven thousand and not more than seventy-seven thousand six hundred, according to the preceding Federal Census; repealing all laws or parts of laws, general or special, in conflict therewith, and declaring an emergency."

The bill was read second time.

Mr. Worley offered the following amendment to the bill:

Amend House Bill No. 169 by including "counties having a population of not less than 15,550 and not more than 15,560, according to the last preceding Federal Census."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

H. B. No. 169 was then passed to engrossment.

HOUSE BILL NO. 169 ON THIRD READING

Mr. Celaya moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 169 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Adamson	England
Aikin	Fain
Alexander	Farmer
Alsup	Fisher
Ash	Ford
Atchison	Fox
Bourne	Fuchs
Bradbury	Gibson
Bradford	Glass
Broyles	Graves
Burton	Gray
Butler of Brazos	Greathouse
Butler of Karnes	Hankamer
Cagle	Hanna
Calvert	Hardin
Canon	Harris of Archer
Celaya	Harris of Dallas
Clayton	Head
Collins	Herzik
Colquitt	Hodges
Cowley	Hofheinz
Craddock	Hoskins
Davison of Fisher	Hunt
Dickison	Hunter
Dunagan	James

Jefferson	Payne
Jones of Falls	Petsch
Jones of Runnels	Pope
Jones of Shelby	Quinn
Jones of Wise	Reed of Bowie
Keefe	Roach of Angelina
King	Roach of Hunt
Knetsch	Roark
Lanning	Roberts
Latham	Rogers
Lemens	Russell
Leonard	Rutta
Lindsey	Scarborough
Lucas	Settle
Mauritz	Shofner
McCalla	Smith
McConnell	Stanfield
McFarland	Stinson
McKee	Stovall
McKinney	Tennyson
Moffett	Thornton
Moore	Venable
Morris	Waggoner
Morrison	Walker
Morse	Wells
Newton	Westfall
Nicholson	Wood of Harrison
Olsen	Wood of Montague
Padgett	Worley
Palmer	Young
Patterson	Youngblood

Present—Not Voting

Lotief

Absent

Adkins	Holland
Beck	Howard
Bergman	Huddleston
Caldwell	Jackson
Colson	Jones of Atascosa
Cooper	Lange
Daniel	Leath
Davis	Luker
Dunlap of Hays	Reader
Dunlap of Kleberg	Reed of Dallas
Duvall	Riddle
Dwyer	Roane
Frazer	Spears
Good	Steward
Hartzog	Tarwater
Hill	Tillery

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 169 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—120

Adamson	King
Aikin	Knetsch
Alexander	Lanning
Alsup	Latham
Ash	Lemens
Atchison	Leonard
Bourne	Lindsey
Bradbury	Lotief
Bradford	Lucas
Broyles	Luker
Burton	Mauritz
Butler of Brazos	McCalla
Butler of Karnes	McConnell
Cagle	McFarland
Calvert	McKee
Canon	McKinney
Celaya	Moffett
Clayton	Moore
Colquitt	Morris
Cowley	Morrison
Craddock	Morse
Daniel	Newton
Dickison	Nicholson
Dunagan	Olsen
England	Padgett
Fain	Palmer
Farmer	Patterson
Fisher	Payne
Ford	Petsch
Fox	Pope
Frazer	Quinn
Fuchs	Reader
Gibson	Reed of Bowie
Glass	Roach of Angelina
Good	Roach of Hunt
Graves	Roark
Gray	Roberts
Greathouse	Rogers
Hankamer	Russell
Hanna	Rutta
Hardin	Scarborough
Harris of Archer	Settle
Harris of Dallas	Shofner
Hartzog	Smith
Head	Stanfield
Herzik	Stinson
Hodges	Stovall
Hofheinz	Tarwater
Holland	Tennyson
Hoskins	Thornton
Hunt	Venable
Hunter	Waggoner
James	Walker
Jefferson	Wells
Jones of Atascosa	Westfall
Jones of Falls	Wood of Harrison
Jones of Runnels	Wood of Montague
Jones of Shelby	Worley
Jones of Wise	Young
Keefe	Youngblood

Absent

Adkins	Bergman
Beck	Caldwell

Collins	Huddleston
Colson	Jackson
Cooper	Lange
Davis	Leath
Davison of Fisher	Reed of Dallas
Dunlap of Hays	Riddle
Dunlap of Kleberg	Roane
Duvall	Spears
Dwyer	Steward
Hill	Tillery
Howard	

Absent—Excused

Crossley	Fitzwater
Davison	Hyder
of Eastland	

HOUSE BILL NO. 578 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 578, A bill to be entitled "An Act amending Article 2550 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 201, Acts of the Regular Session of the Forty-third Legislature, authorizing and providing for county depositories for county funds, etc., and declaring an emergency."

The bill was read second time.

Mr. Fox offered the following committee amendments to the bill:

Amend House Bill No. 578 by striking out the words appearing after the word "interest" and before the word "as" in line 12 of Section 1, which words are as follows: "not less than one-half ($\frac{1}{2}$) per cent per annum."

Amend House Bill No. 578 by striking out the following words in the caption to said bill: "specifying a minimum rate of interest to be paid upon daily balances."

The amendments were severally adopted.

House Bill No. 578 was then passed to engrossment.

HOUSE BILL NO. 578 ON THIRD
READING

Mr. Fox moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 578 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112

Adamson	Alexander
Aikin	Alsup

Ash	Knetsch
Atchison	Lange
Beck	Lanning
Bergman	Lemens
Bourne	Leonard
Bradbury	Lindsey
Broyles	Lucas
Burton	McCalla
Butler of Brazos	McConnell
Butler of Karnes	McFarland
Cagle	McKee
Calvert	McKinney
Canon	Moffett
Celaya	Moore
Clayton	Morris
Colquitt	Morrison
Cooper	Morse
Cowley	Newton
Craddock	Nicholson
Daniel	Olsen
Davis	Padgett
Davison of Fisher	Palmer
Dickison	Patterson
Dunagan	Payne
Fain	Petsch
Fisher	Quinn
Ford	Reader
Fox	Reed of Bowie
Frazer	Roach of Angelina
Fuchs	Roach of Hunt
Good	Roane
Graves	Roark
Gray	Roberts
Greathouse	Russell
Hankamer	Rutta
Hanna	Scarborough
Hardin	Settle
Harris of Archer	Shofner
Harris of Dallas	Smith
Hartzog	Stanfield
Head	Steward
Herzik	Stinson
Hodges	Tarwater
Hofheinz	Thornton
Huddleston	Tillery
Hunt	Venable
Hunter	Walker
James	Wells
Jefferson	Westfall
Jones of Falls	Wood of Harrison
Jones of Runnels	Wood of Montague
Jones of Shelby	Worley
Jones of Wise	Young
Keefe	Youngblood
King	

Nays—1

Stovall

Absent

Adkins	Dwyer
Bradford	England
Caldwell	Farmer
Collins	Gibson
Colson	Glass
Dunlap of Hays	Hill
Dunlap of Kleberg	Holland
Duvall	Hoskins

Howard	Pope
Jackson	Reed of Dallas
Jones of Atascosa	Riddle
Latham	Rogers
Leath	Spears
Lotief	Tennyson
Luker	Waggoner
Mauritz	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 578 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—117

Adamson	Head
Alexander	Herzik
Alsup	Hodges
Ash	Hofheinz
Atchison	Holland
Beck	Huddleston
Bourne	Hunt
Bradbury	Hunter
Bradford	James
Broyles	Jefferson
Burton	Jones of Falls
Butler of Brazos	Jones of Runnels
Butler of Karnes	Jones of Shelby
Cagle	Jones of Wise
Calvert	Keefe
Canon	King
Celaya	Knetsch
Clayton	Lange
Collins	Lanning
Colquitt	Lemens
Cooper	Leonard
Cowley	Lindsey
Craddock	Lucas
Daniel	Mauritz
Davison of Fisher	McCalla
Dickison	McConnell
Dunagan	McKee
Fain	McKinney
Farmer	Moffett
Fisher	Moore
Ford	Morris
Fox	Morrison
Frazer	Morse
Fuchs	Newton
Gibson	Nicholson
Glass	Olsen
Good	Padgett
Gray	Palmer
Greathouse	Patterson
Hankamer	Payne
Hanna	Petsch
Hardin	Pope
Harris of Archer	Quinn
Harris of Dallas	Reader
Hartzog	Reed of Bowie

Roach of Angelina	Stinson
Roach of Hunt	Tarwater
Roane	Tennyson
Roark	Thornton
Roberts	Venable
Rogers	Walker
Russell	Wells
Rutta	Westfall
Scarborough	Wood of Harrison
Settle	Wood of Montague
Shofner	Worley
Smith	Young
Stanfield	Youngblood
Steward	

Nays—3

Adkins	Stovall
Aikin	

Absent

Bergman	Jackson
Caldwell	Jones of Atascosa
Colson	Latham
Davis	Leath
Dunlap of Hays	Lotief
Dunlap of Kleberg	Luker
Duvall	McFarland
Dwyer	Reed of Dallas
England	Riddle
Graves	Spears
Hill	Tillery
Hoskins	Waggoner
Howard	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

HOUSE BILL NO. 575 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 575, A bill to be entitled "An Act fixing the compensation of county commissioners in every county having a population of not less than twenty-seven thousand two hundred and forty (27,240) nor more than thirty-five thousand (35,000) inhabitants, according to the last preceding United States Census, and prescribing how same shall be paid; providing that such shall be the salary of said commissioners so long as the taxable values in the county shall exceed the sum of twelve million dollars (\$12,000,000) for the next preceding year, etc., and declaring an emergency."

The bill was read second time.

Mr. Frazer offered the following amendment to the bill:

Amend House Bill No. 575, Section 1, by striking out the figures "35,000" wherever they appear and insert in lieu thereof the figures "27,250," and caption to be changed to conform.

The amendment was adopted.

Mr. Dunagan offered the following amendment to the bill:

Amend House Bill No. 575 by striking out all of Section 2, page 3.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 575 was then passed to engrossment.

HOUSE BILL NO. 575 ON THIRD READING

Mr. Frazer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 575 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Adamson	Frazer
Adkins	Fuchs
Aikin	Gibson
Alexander	Glass
Alsup	Graves
Ash	Greathouse
Beck	Hankamer
Bergman	Hanna
Bourne	Hardin
Bradbury	Harris of Archer
Bradford	Harris of Dallas
Broyles	Hartzog
Burton	Head
Butler of Brazos	Herzik
Butler of Karnes	Hodges
Canon	Hofheinz
Celaya	Huddleston
Clayton	Hunt
Collins	Hunter
Colquitt	Jackson
Cooper	James
Cowley	Jefferson
Craddock	Jones of Falls
Daniel	Jones of Runnels
Davison of Fisher	Jones of Shelby
Dickison	Jones of Wise
Dunlap of Hays	Keefe
England	King
Fain	Knetsch
Farmer	Lange
Fisher	Lanning
Ford	Latham
Fox	Lemens

Lotief	Roark
Lucas	Rogers
Mauritz	Russell
McCalla	Rutta
McConnell	Scarborough
McFarland	Settle
McKee	Smith
McKinney	Stanfield
Moffett	Steward
Morris	Stinson
Morrison	Stovall
Morse	Tennyson
Newton	Thornton
Nicholson	Tillery
Padgett	Venable
Patterson	Waggoner
Payne	Walker
Petsch	Wells
Quinn	Westfall
Reader	Wood of Harrison
Reed of Bowie	Wood of Montague
Reed of Dallas	Worley
Roach of Angelina	Young
Roach of Hunt	Youngblood

Nays—1

Good

Present—Not Voting

Shofner

Absent

Atchison	Jones of Atascosa
Cagle	Leath
Caldwell	Leonard
Calvert	Lindsey
Colson	Luker
Davis	Moore
Dunagan	Olsen
Dunlap of Kleberg	Palmer
Duvall	Pope
Dwyer	Riddle
Gray	Roane
Hill	Roberts
Holland	Spears
Hoskins	Tarwater
Howard	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 575 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 657 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 657, A bill to be entitled "An Act amending Section 19 of

House Bill No. 623, Chapter 180, Acts of Forty-third Legislature, Regular Session, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 657 ON THIRD READING

Mr. Leonard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 657 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Adamson	Hodges
Adkins	Hofheinz
Aikin	Holland
Alexander	Hoskins
Alsup	Huddleston
Atchison	Hunt
Beck	Jackson
Bergman	James
Bourne	Jefferson
Bradbury	Jones of Atascosa
Bradford	Jones of Falls
Broyles	Jones of Runnels
Burton	Jones of Shelby
Butler of Brazos	Jones of Wise
Calvert	Keefe
Canon	King
Celaya	Lanning
Clayton	Latham
Colquitt	Lemens
Cooper	Leonard
Cowley	Lindsey
Craddock	Lotief
Daniel	Lucas
Davison of Fisher	Luker
Dickison	Mauritz
Dunlap of Hays	McCalla
England	McConnell
Fain	McFarland
Farmer	McKee
Fisher	McKinney
Ford	Moffett
Fox	Morris
Frazer	Morrison
Fuchs	Morse
Gibson	Newton
Glass	Nicholson
Good	Olsen
Gray	Padgett
Greathouse	Palmer
Hankamer	Patterson
Hanna	Payne
Hardin	Petsch
Harris of Archer	Pope
Harris of Dallas	Quinn
Hartzog	Reader
Head	Reed of Bowie
Herzik	Reed of Dallas

Roach of Hunt
Roark
Rogers
Russell
Rutta
Scarborough
Settle
Shofner
Smith
Stanfield
Steward
Stinson

Stovall
Tennyson
Thornton
Tillery
Venable
Wells
Westfall
Wood of Harrison
Wood of Montague
Worley
Young
Youngblood

Present—Not Voting

Roane

Absent

Ash	Howard
Butler of Karnes	Hunter
Cagle	Knetsch
Caldwell	Lange
Collins	Leath
Colson	Moore
Davis	Riddle
Dunagan	Roach of Angelina
Dunlap of Kleberg	Roberts
Duvall	Spears
Dwyer	Tarwater
Graves	Waggoner
Hill	Walker

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 657 before the House on its third reading and final passage.

The bill was read third time, and was passed.

MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, April 23, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee to adjust the differences between the two houses on House Bill No. 781.

The following have been appointed on the part of the Senate: Senators Redditt, Beck, Oneal, Cotten, DeBerry.

The Senate has granted the request of the House for a conference committee to adjust the differences between the two houses on House Bill No. 780.

The following have been appointed

on the part of the Senate: Senators
Redditt, Rawlings, Pace, Burns, Hill.

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 668 ON SECOND READING

The Speaker laid before the House,
on its second reading and passage to
engrossment,

H. B. No. 668, A bill to be entitled
"An Act governing the use of pasture
or grazing land owned by two or more
parties under one fence or enclosure,
providing for the recovering of dam-
ages, punishment, and penalties, and
declaring an emergency."

The bill was read second time.

Mr. Mauritz offered the following
amendment to the bill:

Amend House Bill No. 668 by add-
ing a new section, to be numbered
Section 1-a, after Section 1, to read
as follows:

"Section 1-a. The words 'reason-
ably pasture' used in the foregoing
section are hereby interpreted to mean
'that number of live stock that a pru-
dent and experienced live stock raiser
is accustomed to graze on a range
similar to the enclosure referred to
in said Section 1 above and that such
enclosure will supply ample grazing
to under the usual condition of such
community wherein such enclosure is
located'."

The amendment was adopted.

By unanimous consent of the House,
the caption of the bill was ordered
amended to conform to all changes
and to the body of the bill.

House Bill No. 668 was then passed
to engrossment.

HOUSE BILL NO. 668 ON THIRD READING

Mr. Mauritz moved that the con-
stitutional rule, requiring bills to be
read on three several days, be sus-
pended, and that House Bill No. 668
be placed on its third reading and
final passage.

The motion prevailed by the follow-
ing vote:

Yeas—126

Adamson	Ash
Aikin	Atchison
Alexander	Beck
Alsup	Bergman

Bourne	Knetsch
Bradbury	Lange
Bradford	Lanning
Broyles	Latham
Burton	Lemens
Butler of Brazos	Leonard
Butler of Karnes	Lotief
Cagle	Lucas
Calvert	Mauritz
Canon	McCalla
Celaya	McConnell
Clayton	McFarland
Collins	McKee
Colquitt	McKinney
Cooper	Moffett
Cowley	Morris
Craddock	Morrison
Daniel	Morse
Davis	Newton
Davison of Fisher	Nicholson
Dickison	Olsen
Dunlap of Hays	Padgett
England	Palmer
Fain	Patterson
Farmer	Petsch
Fisher	Pope
Ford	Quinn
Fox	Reader
Frazer	Reed of Bowie
Fuchs	Reed of Dallas
Gibson	Roach of Angelina
Glass	Roach of Hunt
Good	Roark
Graves	Roberts
Gray	Rogers
Greathouse	Russell
Hankamer	Rutta
Hanna	Scarborough
Hardin	Settle
Harris of Archer	Shofner
Harris of Dallas	Smith
Hartzog	Stanfield
Head	Steward
Hodges	Stinson
Hofheinz	Stovall
Holland	Tarwater
Hoskins	Tennyson
Huddleston	Thornton
Hunt	Tillery
Hunter	Venable
Jackson	Waggoner
James	Walker
Jefferson	Wells
Jones of Atascosa	Westfall
Jones of Falls	Wood of Harrison
Jones of Runnels	Wood of Montague
Jones of Shelby	Worley
Jones of Wise	Young
Keefe	Youngblood
King	

Absent

Adkins	Duvall
Caldwell	Dwyer
Colson	Herzik
Dunagan	Hill
Dunlap of Kleberg	Howard

Leath	Payne
Lindsey	Riddle
Luker	Roane
Moore	Spears

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 668 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—118

Adamson	Hofheinz
Alexander	Holland
Alsup	Hoskins
Ash	Huddleston
Atchison	Hunt
Beck	Hunter
Bergman	Jackson
Bourne	James
Bradbury	Jefferson
Bradford	Jones of Atascosa
Broyles	Jones of Runnels
Butler of Brazos	Jones of Shelby
Butler of Karnes	Jones of Wise
Calvert	Keefe
Canon	King
Celaya	Lange
Clayton	Lanning
Collins	Latham
Colquitt	Lemens
Cooper	Leonard
Cowley	Lotief
Craddock	Lucas
Daniel	Mauritz
Davis	McCalla
Dickison	McConnell
Dunagan	McKee
Dunlap of Hays	McKinney
Dwyer	Moffett
England	Morris
Fain	Morrison
Farmer	Morse
Fisher	Newton
Ford	Nicholson
Fox	Olsen
Frazer	Padgett
Fuchs	Palmer
Gibson	Patterson
Glass	Petsch
Good	Pope
Graves	Quinn
Gray	Reader
Greathouse	Reed of Bowie
Hankamer	Reed of Dallas
Hanna	Roach of Angelina
Hardin	Roach of Hunt
Harris of Archer	Roark
Harris of Dallas	Roberts
Head	Rogers
Hodges	Russell

Rutta
Scarborough
Settle
Shofner
Smith
Stanfield
Steward
Stinson
Stovall
Tarwater
Thornton

Venable
Waggoner
Walker
Wells
Westfall
Wood of Harrison
Wood of Montague
Worley
Young
Youngblood

Nays—8

Adkins	Jones of Falls
Aikin	Knetsch
Burton	Roane
Cagle	Tennyson

Present—Not Voting

McFarland

Absent

Caldwell	Leath
Colson	Lindsey
Davison of Fisher	Luker
Dunlap of Kleberg	Moore
Duvall	Payne
Hartzog	Riddle
Herzik	Spears
Hill	Tillery
Howard	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

HOUSE BILL NO. 552 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 552, A bill to be entitled "An Act authorizing the selection and the summoning of a general jury panel for jury service in the district and county courts in counties of Texas wherein two or more district courts are situated and maintained; defining district courts within the meaning of the Act; authorizing the judges of the district and county courts in any such county to meet together at stated intervals and determine the number of jurors necessary for jury service for all district and county courts during a period of two months or as many weeks in advance as they decide upon, etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 552 ON THIRD
READING

Mr. Latham moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 552 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Adamson	Hoskins
Adkins	Huddleston
Aikin	Hunt
Alsup	Hunter
Atchison	Jackson
Beck	James
Bergman	Jones of Atascosa
Bourne	Jones of Falls
Bradbury	Jones of Runnels
Bradford	Jones of Shelby
Broyles	Jones of Wise
Burton	Keefe
Butler of Brazos	King
Butler of Karnes	Knetsch
Cagle	Lanning
Calvert	Latham
Canon	Lemens
Celaya	Leonard
Clayton	Lotief
Colquitt	Lucas
Colson	McCalla
Cooper	McConnell
Cowley	McFarland
Craddock	McKinney
Daniel	Moffett
Davis	Morris
Davison of Fisher	Morrison
Dickison	Morse
Dunagan	Newton
Dunlap of Hays	Nicholson
Dwyer	Olsen
England	Padgett
Fain	Palmer
Farmer	Patterson
Fisher	Payne
Ford	Petsch
Fox	Pope
Frazer	Quinn
Fuchs	Reader
Gibson	Reed of Bowie
Glass	Reed of Dallas
Good	Roach of Angelina
Graves	Roach of Hunt
Gray	Roane
Hankamer	Roark
Hanna	Rogers
Hardin	Russell
Harris of Archer	Rutta
Harris of Dallas	Scarborough
Hartzog	Settle
Head	Shofner
Herzik	Smith
Hodges	Steward
Hofheinz	Stinson

Stovall	Wells
Tarwater	Westfall
Tennyson	Wood of Harrison
Thornton	Wood of Montague
Venable	Worley
Waggoner	Young
Walker	Youngblood

Nays—1

Alexander

Absent

Ash	Leath
Caldwell	Lindsey
Collins	Luker
Dunlap of Kleberg	Mauritz
Duvall	McKee
Greathouse	Moore
Hill	Riddle
Holland	Roberts
Howard	Spears
Jefferson	Stanfield
Lange	Tillery

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 552 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—123

Adamson	Dunlap of Hays
Adkins	England
Aikin	Fain
Alexander	Farmer
Alsup	Fisher
Ash	Ford
Atchison	Fox
Beck	Frazer
Bergman	Fuchs
Bourne	Gibson
Bradbury	Glass
Bradford	Good
Broyles	Graves
Burton	Gray
Butler of Brazos	Hankamer
Butler of Karnes	Hanna
Cagle	Hardin
Canon	Harris of Archer
Celaya	Harris of Dallas
Clayton	Hartzog
Collins	Head
Colquitt	Hodges
Cowley	Hofheinz
Craddock	Holland
Daniel	Hoskins
Davis	Howard
Davison of Fisher	Huddleston
Dickison	Hunt
Dunagan	Hunter

James	Payne
Jefferson	Petsch
Jones of Atascosa	Pope
Jones of Falls	Quinn
Jones of Runnels	Reader
Jones of Shelby	Reed of Bowie
Jones of Wise	Reed of Dallas
Keefe	Roach of Angelina
King	Roach of Hunt
Knetsch	Roark
Lange	Roberts
Latham	Rogers
Lemens	Russell
Leonard	Rutta
Lindsey	Scarborough
Lotief	Settle
Lucas	Shofner
Luker	Smith
Mauritz	Steward
McCalla	Stinson
McConnell	Stovall
McFarland	Tennynson
McKee	Thornton
McKinney	Venable
Moffett	Waggoner
Morris	Wells
Morrison	Westfall
Morse	Wood of Harrison
Newton	Wood of Montague
Nicholson	Worley
Olsen	Young
Padgett	Youngblood
Patterson	

Absent

Caldwell	Lanning
Calvert	Leath
Colson	Moore
Cooper	Palmer
Dunlap of Kleberg	Riddle
Duvall	Roane
Dwyer	Spears
Greathouse	Stanfield
Herzik	Tarwater
Hill	Tillery
Jackson	Walker

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

HOUSE BILL NO. 680 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 680, A bill to be entitled "An Act regulating the use of State-owned motor vehicles by employes of State departments, bureaus, commissions, institutions, and agencies in political campaigns; fixing penalties, and declaring an emergency."

The bill was read second time.

Mr. Lotief offered the following amendment to the bill:

Amend House Bill No. 680 by adding a new section to read as follows:

"Providing no person who may be employed by the State of Texas shall ever use any of State's own cars for their own personal use, or any of their families to use such cars for their own pleasure."

LOTIEF,
LUCAS.

The amendment was adopted.

Mr. Padgett offered the following amendment to the bill:

Amend House Bill No. 680 by adding a new section as follows:

"No employe in any department or branch of the State Government or State relief organization shall campaign or solicit votes in any manner whatever for the head of his or her department or any other candidate seeking public office."

PADGETT,
HARDIN,
LUCAS.

The amendment was adopted.

Mr. Leonard offered the following amendment to the bill:

Amend House Bill No. 680 by adding after the word "vehicle" in line 15, the following: "for any purpose except in carrying out business of the State nor," and by adding at the end of the paragraph, in line 31, the following: "any person violating any provision of this Act shall be immediately retired from the State's employment."

LEONARD,
HARDIN,
LUCAS.

The amendment was adopted.

House Bill No. 680 was then passed to engrossment.

HOUSE BILL NO. 680 ON THIRD READING

Mr. Hardin moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 680 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—120

Adamson	Aikin
Adkins	Alexander

Ash	Keefe
Atchison	King
Beck	Knetsch
Bergman	Lange
Bourne	Lanning
Bradbury	Latham
Bradford	Lemens
Broyles	Leonard
Burton	Lotief
Butler of Brazos	Lucas
Butler of Karnes	Mauritz
Canon	McCalla
Celaya	McConnell
Clayton	McFarland
Collins	McKee
Colquitt	McKinney
Cooper	Moffett
Cowley	Morris
Craddock	Morrison
Daniel	Morse
Davis	Newton
Davison of Fisher	Nicholson
Dickison	Olsen
Dunagan	Padgett
Dunlap of Hays	Patterson
Dwyer	Payne
England	Petsch
Fain	Quinn
Farmer	Reed of Bowie
Fisher	Reed of Dallas
Ford	Roach of Angelina
Fox	Roach of Hunt
Frazer	Roane
Fuchs	Roark
Gibson	Roberts
Glass	Rogers
Good	Russell
Gray	Rutta
Hankamer	Scarborough
Hanna	Settle
Hardin	Shofner
Harris of Archer	Smith
Harris of Dallas	Stanfield
Hartzog	Steward
Herzik	Stinson
Hodges	Stovall
Hofheinz	Tennyson
Holland	Thornton
Hoskins	Tillery
Huddleston	Venable
Hunter	Waggoner
Jackson	Walker
James	Wells
Jones of Atascosa	Westfall
Jones of Falls	Wood of Harrison
Jones of Runnels	Worley
Jones of Shelby	Young
Jones of Wise	Youngblood

Nays—1

Wood of Montague

Absent

Alsup
Cagle

Caldwell
Calvert

Colson	Leath
Dunlap of Kleberg	Lindsey
Duvall	Luker
Graves	Moore
Greathouse	Palmer
Head	Pope
Hill	Reader
Howard	Riddle
Hunt	Spears
Jefferson	Tarwater

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder

of Eastland

The Speaker then laid House Bill No. 680 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 704 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 704, A bill to be entitled "An Act authorizing any city having a population of more than one hundred and sixty thousand (160,000) inhabitants to own, operate, and maintain, construct, improve, and enlarge an airport and for such purpose to borrow money and issue warrants payable from taxation and further payable from the revenues of such airport; providing the form and contents of such warrants; limiting the amount of warrants which may be issued by any city to not more than one hundred and twenty-five thousand dollars (\$125,000); providing that no election shall be necessary to authorize such warrants, but that the city shall comply with the provisions of Chapter 163, Acts of the Forty-second Legislature, etc., and declaring an emergency."

The bill was read second time.

Mr. Farmer offered the following amendment to the bill:

Amend House Bill No. 704 by striking out Section 5, on page 3, and renumber succeeding sections as required consecutively.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 704 was then passed to engrossment.

HOUSE BILL NO. 704 ON THIRD READING

Mr. Smith moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 704 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—115

Adamson	Hoskins
Adkins	Huddleston
Aikin	Hunt
Alexander	Hunter
Alsup	Jackson
Ash	James
Atchison	Jefferson
Beck	Jones of Atascosa
Bourne	Jones of Falls
Bradbury	Jones of Runnels
Bradford	Jones of Shelby
Broyles	Jones of Wise
Burton	Keefe
Butler of Brazos	King
Butler of Karnes	Knetsch
Canon	Lange
Celaya	Lanning
Clayton	Latham
Cooper	Lemens
Cowley	Leonard
Craddock	Lucas
Daniel	Mauritz
Davis	McCalla
Davison of Fisher	McConnell
Dickison	McFarland
Dunagan	McKinney
England	Moffett
Fain	Morris
Farmer	Morrison
Fisher	Morse
Ford	Newton
Fox	Nicholson
Frazer	Olsen
Gibson	Patterson
Glass	Payne
Good	Petsch
Graves	Quinn
Gray	Reader
Greathouse	Reed of Bowie
Hankamer	Reed of Dallas
Hanna	Roach of Hunt
Hardin	Roark
Harris of Archer	Roberts
Harris of Dallas	Rogers
Hartzog	Russell
Head	Rutta
Herzik	Scarborough
Hodges	Settle
Hofheinz	Shofner
Holland	Smith

Stanfield
Steward
Stinson
Tennyson
Thornton
Venable
Waggoner
Walker

Wells
Westfall
Wood of Harrison
Wood of Montague
Worley
Young
Youngblood

Present—Not Voting

Cagle

Absent

Bergman	Lotief
Caldwell	Luker
Calvert	McKee
Collins	Moore
Colquitt	Padgett
Colson	Palmer
Dunlap of Hays	Pope
Dunlap of Kleberg	Riddle
Duvall	Roach of Angelina
Dwyer	Roane
Fuchs	Spears
Hill	Stovall
Howard	Tarwater
Leath	Tillery
Lindsey	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 704 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—114

Adamson	Cowley
Adkins	Craddock
Aikin	Daniel
Alexander	Davis
Alsup	Davison of Fisher
Ash	Dickison
Atchison	Dunagan
Beck	Dunlap of Hays
Bergman	Duvall
Bourne	England
Bradbury	Fain
Bradford	Farmer
Broyles	Fisher
Burton	Ford
Butler of Brazos	Fox
Butler of Karnes	Frazer
Cagle	Fuchs
Canon	Gibson
Celaya	Glass
Clayton	Good
Collins	Graves
Colquitt	Gray
Cooper	Greathouse

Hankamer	Morrison
Hanna	Morse
Hardin	Newton
Harris of Archer	Nicholson
Harris of Dallas	Olsen
Head	Palmer
Herzik	Patterson
Hodges	Payne
Hofheinz	Petsch
Holland	Pope
Hoskins	Quinn
Huddleston	Reader
Hunt	Reed of Bowie
Hunter	Reed of Dallas
Jackson	Roach of Angelina
James	Roach of Hunt
Jefferson	Roark
Jones of Atascosa	Roberts
Jones of Falls	Rogers
Jones of Runnels	Russell
Jones of Shelby	Rutta
Jones of Wise	Scarborough
Keefe	Settle
King	Shofner
Knetsch	Smith
Lange	Steward
Lanning	Stinson
Latham	Tennyson
Lemens	Thornton
Leonard	Tillery
Lindsey	Venable
Lotief	Waggoner
Lucas	Walker
Mauritz	Wells
McCalla	Westfall
McConnell	Wood of Harrison
McFarland	Wood of Montague
McKinney	Worley
Moffett	Young
Morris	Youngblood

Present—Not Voting

Roane

Absent

Caldwell	Luker
Calvert	McKee
Colson	Moore
Dunlap of Kleberg	Padgett
Dwyer	Riddle
Hartzog	Spears
Hill	Stanfield
Howard	Stovall
Leath	Tarwater

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

HOUSE BILL NO. 730 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 730, A bill to be entitled "An Act authorizing the county board of trustees in counties having a population of not less than 13,600 nor more than 20,000, as shown by the last preceding Federal Census, to set aside a certain amount of the available school fund apportioned to such counties to defray certain expenses in the administration of the scholastic affairs of such counties with limitations; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Bergman offered the following amendment to the bill:

Amend House Bill No. 730 by changing the words and figures "twenty thousand (20,000)" wherever they appear in the bill to "thirteen thousand six hundred and fifty (13,650)."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 730 was then passed to engrossment.

HOUSE BILL NO. 730 ON THIRD READING

Mr. Bergman moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 730 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Adamson	Colquitt
Adkins	Cooper
Aikin	Cowley
Alexander	Craddock
Alsup	Daniel
Ash	Davison of Fisher
Atchison	Dickison
Beck	Dunagan
Bergman	Dunlap of Hays
Bourne	Duvall
Bradbury	England
Bradford	Fain
Broyles	Farmer
Burton	Fisher
Butler of Brazos	Ford
Cagle	Fox
Capon	Frazer
Celaya	Fuchs
Clayton	Gibson

Glass	Moffett
Good	Morris
Graves	Morrison
Gray	Morse
Greathouse	Newton
Hankamer	Nicholson
Hanna	Olsen
Hardin	Palmer
Harris of Archer	Patterson
Harris of Dallas	Petsch
Head	Pope
Herzik	Quinn
Hodges	Reader
Hofheinz	Reed of Bowie
Holland	Reed of Dallas
Hoskins	Roach of Angelina
Huddleston	Roach of Hunt
Hunt	Roark
Jackson	Rogers
James	Russell
Jones of Atascosa	Rutta
Jones of Falls	Settle
Jones of Runnels	Shofner
Jones of Shelby	Smith
Jones of Wise	Stanfield
Keefe	Steward
King	Stinson
Knetsch	Tennyson
Lange	Thornton
Lanning	Tillery
Latham	Venable
Lemens	Waggoner
Leonard	Walker
Lindsey	Wells
Lotief	Westfall
Lucas	Wood of Harrison
Mauritz	Wood of Montague
McCalla	Worley
McFarland	Young
McKee	Youngblood
McKinney	

Nays—1

Scarborough

Absent

Butler of Karnes	Leath
Caldwell	Luker
Calvert	McConnell
Collins	Moore
Colson	Padgett
Davis	Payne
Dunlap of Kleberg	Riddle
Dwyer	Roane
Hartzog	Roberts
Hill	Spears
Howard	Stovall
Hunter	Tarwater
Jefferson	

Absent—Excused

Crossley	Fitzwater
Davison	Hyder
of Eastland	

The Speaker then laid House Bill No. 730 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—122

Adamson	Jones of Falls
Aikin	Jones of Runnels
Alexander	Jones of Shelby
Alsup	Jones of Wise
Ash	Keefe
Beck	King
Bergman	Knetsch
Bourne	Lange
Bradbury	Lanning
Bradford	Latham
Broyles	Lemens
Burton	Leonard
Butler of Brazos	Lindsey
Butler of Karnes	Lotief
Cagle	Lucas
Calvert	Mauritz
Canon	McCalla
Celaya	McConnell
Clayton	McFarland
Collins	McKinney
Colquitt	Moffett
Cooper	Morris
Cowley	Morrison
Craddock	Morse
Daniel	Newton
Davis	Nicholson
Davison of Fisher	Olsen
Dickison	Palmer
Dunagan	Patterson
Dunlap of Hays	Payne
Duvall	Petsch
England	Pope
Fain	Reader
Farmer	Reed of Bowie
Fisher	Reed of Dallas
Ford	Roach of Angelina
Fox	Roach of Hunt
Frazer	Roark
Fuchs	Roberts
Gibson	Rogers
Glass	Russell
Good	Rutta
Graves	Scarborough
Gray	Settle
Greathouse	Smith
Hankamer	Stanfield
Hanna	Steward
Hardin	Stinson
Harris of Archer	Tennyson
Harris of Dallas	Thornton
Head	Tillery
Hodges	Venable
Hofheinz	Waggoner
Holland	Walker
Hoskins	Wells
Howard	Westfall
Huddleston	Wood of Harrison
Hunt	Wood of Montague
Jackson	Worley
James	Young
Jefferson	Youngblood

Present—Not Voting

Adkins Quinn

Absent

Atchison	Luker
Caldwell	McKee
Colson	Moore
Dunlap of Kleberg	Padgett
Dwyer	Riddle
Hartzog	Roane
Herzik	Shofner
Hill	Spears
Hunter	Stovall
Jones of Atascosa	Tarwater
Leath	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

HOUSE BILL NO. 774 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 774, A bill to be entitled "An Act to permit Mrs. Otice Langham and her son, Gene Langham, both personally and in the capacity of some party as next friend to the said Gene Langham, to sue the State of Texas and the Texas National Guard for injuries the said Gene Langham sustained when he was run down and run over by an army truck and truck of the said Texas National Guard near Mineral Wells, during July, 1930, and declaring an emergency."

The bill was read second time.

Mr. McConnell offered the following amendment to the bill:

Amend House Bill No. 774 by striking out the clauses "together with interest thereon at the rate of six per cent per annum" out of lines 18 and 19 and likewise out of lines 22 and 23, and strike out all of the remaining part of Section 1 after the word "guard" in the fourth line from bottom of said Section 1.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 774 was then passed to engrossment.

HOUSE BILL NO. 774 ON THIRD
READING

Mr. McConnell moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 774 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—120

Adamson	Jackson
Adkins	James
Aikin	Jefferson
Alexander	Jones of Falls
Alsup	Jones of Runnels
Ash	Jones of Shelby
Atchison	Jones of Wise
Beck	Keefe
Bourne	King
Bradbury	Knetsch
Bradford	Lange
Broyles	Lanning
Burton	Latham
Butler of Brazos	Lemens
Butler of Karnes	Leonard
Cagle	Lotief
Calvert	Lucas
Canon	Mauritz
Celaya	McConnell
Collins	McFarland
Colquitt	McKee
Cooper	McKinney
Cowley	Moffett
Craddock	Morris
Daniel	Morrison
Davison of Fisher	Morse
Dickison	Newton
Dunagan	Nicholson
England	Olsen
Fain	Palmer
Farmer	Patterson
Ford	Payne
Fox	Petsch
Frazer	Pope
Fuchs	Quinn
Gibson	Reader
Glass	Reed of Bowie
Good	Reed of Dallas
Graves	Roach of Angelina
Gray	Roach of Hunt
Greathouse	Roane
Hankamer	Roark
Hanna	Roberts
Hardin	Rogers
Harris of Archer	Russell
Harris of Dallas	Rutta
Hartzog	Scarborough
Herzik	Settle
Hodges	Smith
Hofheinz	Stanfield
Holland	Steward
Hoskins	Stinson
Huddleston	Stovall
Hunt	

Tarwater	Wells
Tennyson	Westfall
Thornton	Wood of Harrison
Tillery	Wood of Montague
Venable	Worley
Waggoner	Young
Walker	Youngblood

Nays—1

McCalla

Present—Not Voting

Dunlap of Hays

Absent

Bergman	Howard
Caldwell	Hunter
Clayton	Jones of Atascosa
Colson	Leath
Davis	Lindsey
Dunlap of Kleberg	Luker
Duvall	Moore
Dwyer	Padgett
Fisher	Riddle
Head	Shofner
Hill	Spears

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 774 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—121

Adamson	Daniel
Adkins	Davison of Fisher
Aikin	Dickison
Alexander	Dunagan
Alsup	Dunlap of Hays
Ash	England
Atchison	Fain
Beck	Farmer
Bergman	Fisher
Bourne	Ford
Bradbury	Fox
Bradford	Frazer
Broyles	Fuchs
Burton	Gibson
Butler of Brazos	Glass
Butler of Karnes	Good
Calvert	Graves
Canon	Gray
Celaya	Greathouse
Clayton	Hankamer
Collins	Hardin
Colquitt	Harris of Archer
Cooper	Harris of Dallas
Cowley	Head
Craddock	Herzik

Hodges	Payne
Hofheinz	Petsch
Holland	Pope
Hoskins	Quinn
Huddleston	Reader
Hunt	Reed of Bowie
Jackson	Reed of Dallas
James	Roach of Angelina
Jefferson	Roach of Hunt
Jones of Runnels	Roane
Jones of Shelby	Roark
Jones of Wise	Roberts
Keefe	Rogers
King	Russell
Knetsch	Rutta
Lange	Scarborough
Lanning	Settle
Latham	Shofner
Lemens	Smith
Leonard	Stanfield
Lindsey	Steward
Lotief	Stinson
Lucas	Stovall
Mauritz	Tennyson
McConnell	Thornton
McFarland	Venable
McKee	Waggoner
McKinney	Walker
Moffett	Wells
Morris	Westfall
Morrison	Wood of Harrison
Morse	Wood of Montague
Newton	Worley
Nicholson	Young
Olsen	Youngblood
Patterson	

Nays—1

McCalla

Absent

Cagle	Jones of Atascosa
Caldwell	Jones of Falls
Colson	Leath
Davis	Luker
Dunlap of Kleberg	Moore
Duvall	Padgett
Dwyer	Palmer
Hanna	Riddle
Hartzog	Spears
Hill	Tarwater
Howard	Tillery
Hunter	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

HOUSE BILL NO. 839 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 839, A bill to be entitled "An Act providing for a rebate to

owners of retail fish dealer's license purchased on or since September 1, 1934, and before September 26, 1934, for a place of business in any city or town of five thousand (5,000) and not more than seven thousand five hundred (7,500) population; and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 839 ON THIRD READING

Mr. Dunlap of Hays moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 839 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112

Adamson	Harris of Dallas
Adkins	Head
Aikin	Herzik
Alexander	Hodges
Alsup	Hofheinz
Ash	Holland
Atchison	Hoskins
Beck	Huddleston
Bourne	Hunt
Bradbury	Jackson
Bradford	James
Broyles	Jefferson
Burton	Jones of Atascosa
Butler of Brazos	Jones of Falls
Butler of Karnes	Jones of Runnels
Cagle	Jones of Shelby
Canon	Jones of Wise
Celaya	Keefe
Clayton	King
Cowley	Knetsch
Craddock	Lange
Daniel	Lanning
Dickison	Latham
Dunagan	Lemens
Dunlap of Hays	Leonard
England	Lotief
Fain	Lucas
Farmer	Mauritz
Fisher	McCalla
Ford	McConnell
Fox	McFarland
Frazer	McKee
Fuchs	McKinney
Gibson	Moffett
Glass	Morris
Good	Morrison
Graves	Morse
Gray	Newton
Greathouse	Nicholson
Hankamer	Olsen
Hanna	Palmer
Hardin	Patterson

Payne	Stanfield
Petsch	Steward
Quinn	Stinson
Reader	Stovall
Reed of Bowie	Tennyson
Reed of Dallas	Thornton
Roach of Angelina	Tillery
Roach of Hunt	Venable
Roark	Waggoner
Roberts	Walker
Russell	Wood of Harrison
Rutta	Wood of Montague
Scarborough	Worley
Settle	Young
Shofner	Youngblood
Smith	

Present—Not Voting

Roane

Wells

Absent

Bergman	Hill
Caldwell	Howard
Calvert	Hunter
Collins	Leath
Colquitt	Lindsey
Colson	Luker
Cooper	Moore
Davis	Padgett
Davison of Fisher	Pope
Dunlap of Kleberg	Riddle
Duvall	Rogers
Dwyer	Spears
Harris of Archer	Tarwater
Hartzog	Westfall

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 839 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 846 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 846, A bill to be entitled "An Act to declare it unlawful to take, hunt, trap, ensnare, kill or attempt to kill by any means whatsoever, any wild deer, buck, doe, fawn or wild turkey in Palo Pinto and Stephens Counties for a period of five (5) years from and after the passage of this Act; providing a penalty therefor, and declaring an emergency."

The bill was read second time.

Mr. McConnell offered the following amendments to this bill:

Amend House Bill No. 846 by striking out line 4, Section 1, and add the following: "for a period of four (4) years from and after the passage of this Act";

Amend House Bill No. 846 by striking out lines 3 and 4, Section 2, and insert the following: "be fined in any sum not less than \$20 nor more than \$200; provided, however, when deer are destroying crops or gardens the owner or person in charge of said crops or gardens may kill such deer while in the act of destroying such crops or gardens."

Amend the caption of House Bill No. 846 by striking out the last three lines thereof and insert the following: "of four (4) years from and after the passage of this Act; providing for the protection of crops and gardens being destroyed by deer; and declaring an emergency."

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 846 was then passed to engrossment.

HOUSE BILL NO. 846 ON THIRD READING

Mr. McConnell moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 846 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—117

Adamson	Celaya
Adkins	Clayton
Aikin	Collins
Alexander	Colquitt
Alsup	Colson
Ash	Cooper
Atchison	Cowley
Beck	Craddock
Bergman	Daniel
Bourne	Dickison
Bradbury	Dunagan
Bradford	Dunlap of Hays
Broyles	Duvall
Burton	England
Butler of Brazos	Fain
Cagle	Farmer
Canon	Fisher

Ford	Morris
Fox	Morrison
Frazer	Morse
Fuchs	Newton
Glass	Nicholson
Graves	Olsen
Gray	Palmer
Hankamer	Patterson
Hanna	Payne
Hardin	Petsch
Harris of Archer	Pope
Harris of Dallas	Quinn
Hartzog	Reader
Head	Reed of Bowie
Herzik	Reed of Dallas
Hodges	Roach of Angelina
Hofheinz	Roach of Hunt
Hoskins	Roark
Huddleston	Roberts
Jackson	Russell
James	Rutta
Jones of Atascosa	Scarborough
Jones of Falls	Settle
Jones of Runnels	Shofner
Jones of Shelby	Smith
Jones of Wise	Stanfield
Keefe	Steward
Knetsch	Stinson
Lange	Stovall
Lanning	Tennyson
Latham	Thornton
Leonard	Venable
Lindsey	Waggoner
Lotief	Walker
Lucas	Wells
Mauritz	Westfall
McCalla	Wood of Harrison
McConnell	Wood of Montague
McFarland	Worley
McKee	Young
McKinney	Youngblood
Moffett	

Present—Not Voting

Roane

Absent

Butler of Karnes	Hunter
Caldwell	Jefferson
Calvert	King
Davis	Leath
Davison of Fisher	Lemens
Dunlap of Kleberg	Luker
Dwyer	Moore
Gibson	Padgett
Good	Riddle
Greathouse	Rogers
Hill	Spears
Holland	Tarwater
Howard	Tillery
Hunt	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 846 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 861 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 861, A bill to be entitled "An Act granting to John Mulkey of Ellis County, Texas, permission to bring suit against the State of Texas and the State Highway Department, in the District Court of Ellis County, Texas, for damages sustained to his property by the construction of roadbed and excavating sides of roadbed adjacent to and upon his land on Highway No. 8 in Ellis County, Texas, impounding water on his land and destroying his farm, etc., and declaring an emergency."

The bill was read second time.

Mr. Stovall offered the following amendments to the bill:

Amend House Bill No. 861, line 19, by striking out the word and figures "in 1923" and in its stead insert the words "that heretofore".

Amend the caption to House Bill No. 861, line 12, by striking out the word "eight" and insert in its stead the word "six".

Amend the caption of House Bill No. 861, line 14, by inserting after the word "farm" the word "products".

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 861 was then passed to engrossment.

HOUSE BILL NO. 861 ON THIRD READING

Mr. Stovall moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 861 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—121

Adamson Aikin
Adkins Alexander

Alsup	Knetsch
Ash	Lanning
Atchison	Latham
Beck	Lemens
Bergman	Leonard
Bourne	Lindsey
Bradbury	Lotief
Broyles	Lucas
Burton	Mauritz
Cagle	McCalla
Calvert	McFarland
Canon	McKee
Celaya	McKinney
Clayton	Moffett
Collins	Morris
Colquitt	Morrison
Colson	Morse
Cooper	Newton
Cowley	Nicholson
Daniel	Olsen
Davison of Fisher	Padgett
Dickison	Palmer
Dunagan	Patterson
Dunlap of Hays	Payne
England	Petsch
Fain	Pope
Farmer	Quinn
Fisher	Reader
Ford	Reed of Bowie
Fox	Reed of Dallas
Frazer	Roach of Angelina
Fuchs	Roach of Hunt
Gibson	Roane
Glass	Roark
Graves	Rogers
Gray	Russell
Hankamer	Rutta
Hanna	Scarborough
Hardin	Settle
Harris of Archer	Shofner
Harris of Dallas	Smith
Hartzog	Stanfield
Head	Steward
Herzik	Stinson
Hodges	Stovall
Hofheinz	Tarwater
Hoskins	Tennyson
Huddleston	Thornton
Hunt	Tillery
Hunter	Venable
Jackson	Waggoner
James	Walker
Jefferson	Wells
Jones of Atascosa	Westfall
Jones of Falls	Wood of Harrison
Jones of Runnels	Wood of Montague
Jones of Shelby	Worley
Jones of Wise	Young
Keefe	
	Absent
Bradford	Dunlap of Kleberg
Butler of Brazos	Duvall
Butler of Karnes	Dwyer
Caldwell	Good
Craddock	Greathouse
Davis	Hill

Holland	McConnell
Howard	Moore
King	Riddle
Lange	Roberts
Leath	Spears
Luker	Youngblood

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 861 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—121

Adamson	Harris of Dallas
Adkins	Hartzog
Aikin	Head
Alexander	Herzik
Alsup	Hodges
Ash	Hofheinz
Atchison	Hoskins
Beck	Huddleston
Bergman	Hunt
Bourne	Hunter
Bradbury	Jackson
Bradford	James
Broyles	Jefferson
Burton	Jones of Atascosa
Butler of Karnes	Jones of Falls
Cagle	Jones of Runnels
Calvert	Jones of Shelby
Canon	Jones of Wise
Celaya	Keefe
Clayton	Knetsch
Collins	Lanning
Colquitt	Latham
Colson	Lemens
Cooper	Leonard
Cowley	Lindsey
Daniel	Lotief
Davison of Fisher	Lucas
Dickison	Mauritz
Dunagan	McConnell
Dunlap of Hays	McFarland
Duvall	McKee
England	McKinney
Fain	Moffett
Fisher	Morris
Ford	Morrison
Fox	Morse
Frazer	Newton
Fuchs	Nicholson
Gibson	Olsen
Glass	Padgett
Gray	Patterson
Greathouse	Payne
Hankamer	Petsch
Hanna	Pope
Hardin	Quinn
Harris of Archer	Reader

Reed of Bowie	Stovall
Reed of Dallas	Tarwater
Roach of Angelina	Tennyson
Roach of Hunt	Thornton
Roane	Tillery
Roark	Venable
Roberts	Waggoner
Rogers	Walker
Russell	Wells
Rutta	Westfall
Scarborough	Wood of Harrison
Settle	Wood of Montague
Smith	Worley
Stanfield	Young
Steward	Youngblood
Stinson	

Nays—2

McCalla	Palmer
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Absent

Butler of Brazos	Holland
Caldwell	Howard
Craddock	King
Davis	Lange
Dunlap of Kleberg	Leath
Dwyer	Luker
Farmer	Moore
Good	Riddle
Graves	Shofner
Hill	Spears

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

HOUSE BILL NO. 887 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 887, A bill to be entitled "An Act authorizing the county judge to employ a stenographer or clerk in any county having a population of less than twenty thousand inhabitants according to the last preceding Federal Census, and a property valuation in excess of fifty million dollars according to the approved tax rolls for the preceding calendar year, etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 887 ON THIRD READING

Mr. Gibson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 887

be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Adamson	Jones of Wise
Adkins	Keefe
Aikin	Knetsch
Alexander	Lanning
Alsup	Latham
Ash	Lemens
Atchison	Leonard
Beck	Lindsey
Bourne	Lotief
Bradbury	Lucas
Bradford	McCalla
Broyles	McConnell
Burton	McFarland
Butler of Karnes	McKee
Cagle	McKinney
Calvert	Moffett
Canon	Moore
Celaya	Morris
Clayton	Morrison
Collins	Morse
Colquitt	Newton
Cooper	Nicholson
Cowley	Olsen
Craddock	Padgett
Daniel	Patterson
Dickison	Payne
Dunlap of Hays	Petsch
Duvall	Pope
England	Quinn
Fain	Reader
Fisher	Reed of Bowie
Ford	Reed of Dallas
Fox	Roach of Angelina
Frazer	Roach of Hunt
Fuchs	Roark
Gibson	Roberts
Glass	Russell
Graves	Scarborough
Gray	Settle
Greathouse	Shofner
Hankamer	Smith
Hanna	Stanfield
Harris of Archer	Steward
Harris of Dallas	Stinson
Hartzog	Stovall
Head	Tarwater
Hodges	Tennyson
Hofheinz	Thornton
Holland	Tillery
Hoskins	Venable
Huddleston	Waggoner
Hunt	Walker
Hunter	Wells
Jackson	Westfall
James	Wood of Harrison
Jefferson	Wood of Montague
Jones of Atascosa	Worley
Jones of Falls	Young
Jones of Runnels	Youngblood
Jones of Shelby	

Absent

Bergman	Hill
Butler of Brazos	Howard
Caldwell	King
Colson	Lange
Davis	Leath
Davison of Fisher	Luker
Dunagan	Mauritz
Dunlap of Kleberg	Palmer
Dwyer	Riddle
Farmer	Roane
Good	Rogers
Hardin	Rutta
Herzik	Spears

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 887 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—118

Adamson	Glass
Adkins	Good
Aikin	Graves
Alexander	Gray
Alsup	Hankamer
Atchison	Hanna
Beck	Hardin
Bergman	Harris of Archer
Bourne	Harris of Dallas
Bradbury	Hartzog
Bradford	Head
Broyles	Herzik
Burton	Hodges
Butler of Karnes	Hofheinz
Cagle	Holland
Calvert	Hoskins
Canon	Huddleston
Celaya	Hunt
Clayton	Hunter
Collins	Jackson
Colquitt	James
Cooper	Jefferson
Cowley	Jones of Atascosa
Craddock	Jones of Runnels
Daniel	Jones of Shelby
Davison of Fisher	Jones of Wise
Dickison	Keefe
Dunlap of Hays	Knetsch
Duvall	Lanning
England	Latham
Fain	Lemens
Fisher	Leonard
Ford	Lotief
Fox	Lucas
Frazer	Mauritz
Fuchs	McCalla
Gibson	McConnell

McFarland	Russell
McKee	Rutta
Moffett	Scarborough
Moore	Settle
Morris	Shofner
Morrison	Smith
Morse	Stanfield
Newton	Steward
Nicholson	Stinson
Olsen	Stovall
Padgett	Tennyson
Palmer	Thornton
Patterson	Tillery
Payne	Venable
Petsch	Waggoner
Pope	Walker
Quinn	Wells
Reader	Westfall
Reed of Bowie	Wood of Harrison
Reed of Dallas	Wood of Montague
Roach of Angelina	Worley
Roach of Hunt	Young
Roark	Youngblood
Roberts	

Absent

Ash	Jones of Falls
Butler of Brazos	King
Caldwell	Lange
Colson	Leath
Davis	Lindsey
Dunagan	Luker
Dunlap of Kleberg	McKinney
Dwyer	Riddle
Farmer	Roane
Greathouse	Rogers
Hill	Spears
Howard	Tarwater

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

HOUSE BILL NO. 906 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 906, A bill to be entitled "An Act authorizing F. J. Akin, J. F. Rochelle, and the Texarkana National Bank, a corporation, to sue the State of Texas to recover the amount due, or that may be found to be due, upon Comptroller's Deficiency Certificate No. 2417, for the sum of \$264, issued to J. F. Akin of date August 28, 1930, fixing the venue of such suit, providing for the issuance of service of process therein, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 906 ON THIRD
READING

Mr. Beck moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 906 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—117

Adamson	Hodges
Adkins	Hofheinz
Aikin	Hoskins
Alexander	Huddleston
Alsup	Hunt
Ash	Hunter
Atchison	Jackson
Beck	James
Bourne	Jefferson
Bradbury	Jones of Atascosa
Bradford	Jones of Falls
Broyles	Jones of Runnels
Burton	Jones of Shelby
Butler of Karnes	Jones of Wise
Cagle	Keefe
Calvert	Knetsch
Canon	Lanning
Celaya	Latham
Clayton	Lemens
Collins	Leonard
Colquitt	Lindsey
Cooper	Lotief
Cowley	Lucas
Craddock	Mauritz
Daniel	McConnell
Davison of Fisher	McFarland
Dickison	McKee
Dunlap of Hays	McKinney
Duvall	Moffett
England	Moore
Fain	Morris
Farmer	Morrison
Fisher	Morse
Ford	Newton
Fox	Nicholson
Frazer	Olsen
Fuchs	Padgett
Gibson	Patterson
Glass	Payne
Good	Petsch
Graves	Pope
Gray	Quinn
Hankamer	Reader
Hanna	Reed of Bowie
Hardin	Reed of Dallas
Harris of Archer	Roach of Angelina
Harris of Dallas	Roach of Hunt
Hartzog	Roark
Head	Roberts
Herzik	Russell

Rutta	Thornton
Scarborough	Venable
Settle	Waggoner
Smith	Walker
Stanfield	Wells
Steward	Westfall
Stinson	Wood of Harrison
Stovall	Wood of Montague
Tarwater	Worley
Tennyson	Young

Nays—1

McCalla

Absent

Bergman	King
Butler of Brazos	Lange
Caldwell	Leath
Colson	Luker
Davis	Palmer
Dunagan	Riddle
Dunlap of Kleberg	Roane
Dwyer	Rogers
Greathouse	Shofner
Hill	Spears
Holland	Tillery
Howard	Youngblood

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 906 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—118

Adamson	Davison of Fisher
Adkins	Dickison
Aikin	Dunlap of Hays
Alexander	England
Alsup	Fain
Ash	Farmer
Atchison	Fisher
Beck	Ford
Bourne	Fox
Bradbury	Frazer
Bradford	Fuchs
Broyles	Gibson
Burton	Glass
Butler of Brazos	Good
Butler of Karnes	Graves
Cagle	Greathouse
Canon	Hankamer
Celaya	Hanna
Collins	Hardin
Colquitt	Harris of Archer
Cooper	Harris of Dallas
Cowley	Hartzog
Craddock	Head
Daniel	Herzik

Hodges	Patterson
Hofheinz	Payne
Holland	Petsch
Hoskins	Pope
Huddleston	Quinn
Hunt	Reader
Hunter	Reed of Bowie
Jackson	Reed of Dallas
James	Roach of Angelina
Jefferson	Roach of Hunt
Jones of Atascosa	Roark
Jones of Runnels	Roberts
Jones of Shelby	Russell
Jones of Wise	Rutta
Keefe	Scarborough
Knetsch	Settle
Lanning	Shofner
Latham	Smith
Lemens	Stanfield
Leonard	Steward
Lotief	Stinson
Lucas	Stovall
Mauritz	Tarwater
McConnell	Tennyson
McFarland	Thornton
McKee	Venable
Moffett	Waggoner
Moore	Walker
Morris	Wells
Morrison	Westfall
Morse	Wood of Harrison
Newton	Wood of Montague
Nicholson	Worley
Padgett	Young
Palmer	Youngblood

Nays—1

McCalla

Absent

Bergman	Jones of Falls
Caldwell	King
Calvert	Lange
Clayton	Leath
Colson	Lindsey
Davis	Luker
Dunagan	McKinney
Dunlap of Kleberg	Olsen
Duvall	Riddle
Dwyer	Roane
Gray	Rogers
Hill	Spears
Howard	Tillery

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

SENATE BILL NO. 491 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 491, A bill to be entitled "An Act changing the time of holding the District Court in the Forty-ninth Judicial District, and providing that all processes and writs heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in counties composing said district, together with jurors heretofore selected, are valid and returnable to the first terms of such court after this Act takes effect, and providing for the continuation of the existing district courts in said counties in session when this Act takes effect, to the end of their terms; repealing all conflicting laws; fixing the effective date of this Act, and declaring an emergency."

The bill was read second time.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

Senate Bill No. 491 was then passed to third reading.

SENATE BILL NO. 491 ON THIRD READING

Mr. Lange moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 491 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—124

Adamson	Cowley
Adkins	Craddock
Aikin	Daniel
Alexander	Davison of Fisher
Alsup	Dickison
Ash	Dunagan
Atchison	Dunlap of Hays
Beck	Duvall
Bergman	England
Bourne	Fain
Bradbury	Farmer
Bradford	Fisher
Broyles	Ford
Burton	Fox
Butler of Brazos	Frazer
Butler of Karnes	Fuchs
Cagle	Gibson
Calvert	Glass
Canon	Good
Celaya	Graves
Clayton	Gray
Cooper	Greathouse

Hankamer	Morris
Hanna	Morrison
Hardin	Morse
Harris of Archer	Newton
Hartzog	Nicholson
Head	Olsen
Herzik	Padgett
Hodges	Patterson
Hofheinz	Payne
Holland	Petsch
Hoskins	Pope
Huddleston	Reader
Hunt	Reed of Bowie
Hunter	Reed of Dallas
Jackson	Roach of Angelina
James	Roach of Hunt
Jefferson	Roark
Jones of Atascosa	Roberts
Jones of Falls	Russell
Jones of Runnels	Rutta
Jones of Shelby	Scarborough
Jones of Wise	Settle
Keefe	Shofner
Knetsch	Smith
Lange	Stanfield
Lanning	Steward
Latham	Stinson
Lemens	Stovall
Leonard	Tarwater
Lindsey	Tennyson
Lotief	Thornton
Lucas	Waggoner
Mauritz	Walker
McCalla	Wells
McConnell	Westfall
McFarland	Wood of Harrison
McKee	Wood of Montague
McKinney	Worley
Moffett	Young
Moore	Youngblood

Absent

Caldwell	Leath
Collins	Luker
Colquitt	Palmer
Colson	Quinn
Davis	Riddle
Dunlap of Kleberg	Roane
Dwyer	Rogers
Harris of Dallas	Spears
Hill	Tillery
Howard	Venable
King	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid Senate Bill No. 491 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—119

Adamson	Keefe
Adkins	Knetsch
Aikin	Lange
Alexander	Lanning
Alsup	Latham
Ash	Lemens
Atchison	Leonard
Bourne	Lindsey
Bradbury	Lotief
Bradford	Lucas
Broyles	Mauritz
Burton	McCalla
Butler of Brazos	McConnell
Butler of Karnes	McFarland
Cagle	McKee
Calvert	McKinney
Canon	Moffett
Celaya	Moore
Clayton	Morris
Cowley	Morrison
Craddock	Morse
Daniel	Newton
Davis	Nicholson
Davison of Fisher	Olsen
Dickison	Padgett
Dunlap of Hays	Patterson
England	Payne
Fain	Petsch
Farmer	Quinn
Fisher	Reader
Ford	Reed of Bowie
Fox	Reed of Dallas
Frazer	Roach of Angelina
Fuchs	Roach of Hunt
Gibson	Roark
Glass	Roberts
Good	Rogers
Graves	Russell
Gray	Rutta
Greathouse	Scarborough
Hankamer	Settle
Hanna	Shofner
Hardin	Smith
Harris of Archer	Steward
Harris of Dallas	Stinson
Head	Stovall
Herzik	Tarwater
Hodges	Tennyson
Hofheinz	Thornton
Hoskins	Venable
Huddleston	Waggoner
Hunt	Walker
Hunter	Wells
Jackson	Westfall
James	Wood of Harrison
Jefferson	Wood of Montague
Jones of Falls	Worley
Jones of Runnels	Young
Jones of Shelby	Youngblood
Jones of Wise	

Nays—1

Beck

Absent

Bergman	Howard
Caldwell	Jones of Atascosa
Collins	King
Colquitt	Leath
Colson	Luker
Cooper	Palmer
Dunagan	Pope
Dunlap of Kleberg	Riddle
Duvall	Roane
Dwyer	Spears
Hartzog	Stanfield
Hill	Tillery
Holland	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

SENATE BILL NO. 274 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 274, A bill to be entitled "An Act authorizing the State Board of Education to establish independent school districts upon any military reservations located within the State of Texas upon such terms and conditions which may be agreed upon by the State Board of Education and the military authorities, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 274 ON THIRD READING

Mr. Dickison moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 274 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—121

Adamson	Broyles
Adkins	Burton
Aikin	Butler of Brazos
Alexander	Butler of Karnes
Alsup	Cagle
Ash	Calvert
Atchison	Canon
Beck	Celaya
Bergman	Clayton
Bourne	Cowley
Bradbury	Craddock
Bradford	Daniel

Davis	Mauritz
Davison of Fisher	McCalla
Dickison	McConnell
Dunlap of Hays	McFarland
England	McKee
Fain	McKinney
Farmer	Moffett
Fisher	Moore
Ford	Morris
Fox	Morrison
Frazer	Morse
Fuchs	Newton
Gibson	Nicholson
Glass	Olsen
Good	Padgett
Graves	Payne
Gray	Petsch
Greathouse	Pope
Hankamer	Reader
Hanna	Reed of Bowie
Hardin	Reed of Dallas
Harris of Archer	Roach of Angelina
Harris of Dallas	Roach of Hunt
Hartzog	Roark
Head	Roberts
Herzik	Rogers
Hodges	Russell
Hofheinz	Rutta
Hoskins	Scarborough
Huddleston	Settle
Hunt	Shofner
Jackson	Smith
James	Steward
Jefferson	Stinson
Jones of Atascosa	Stovall
Jones of Falls	Tarwater
Jones of Runnels	Tennyson
Jones of Shelby	Thornton
Jones of Wise	Venable
Keefe	Waggoner
King	Walker
Knetsch	Wells
Lanning	Westfall
Latham	Wood of Harrison
Lemens	Wood of Montague
Leonard	Worley
Lindsey	Young
Lotief	Youngblood
Lucas	

Nays—1

Quinn

Absent

Caldwell	Hunter
Collins	Lange
Colquitt	Leath
Colson	Luker
Cooper	Palmer
Dunagan	Patterson
Dunlap of Kleberg	Riddle
Duvall	Roane
Dwyer	Spears
Hill	Stanfield
Holland	Tillery
Howard	

Absent—Excused

Crossley	Fitzwater
Davison	Hyder
of Eastland	

The Speaker then laid Senate Bill No. 274 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—122

Adamson	Huddleston
Adkins	Hunt
Aikin	Hunter
Alexander	Jackson
Alsup	James
Ash	Jefferson
Atchison	Jones of Falls
Bourne	Jones of Runnels
Bradford	Jones of Shelby
Broyles	Jones of Wise
Burton	Keefe
Butler of Brazos	King
Butler of Karnes	Knetsch
Cagle	Lanning
Canon	Latham
Celaya	Leonard
Clayton	Lotief
Collins	Lucas
Colson	Mauritz
Cooper	McCalla
Cowley	McConnell
Craddock	McFarland
Daniel	McKee
Davis	McKinney
Davison of Fisher	Moffett
Dickison	Moore
Dunagan	Morris
Dunlap of Hays	Morrison
Duvall	Morse
England	Newton
Fain	Nicholson
Farmer	Olsen
Fisher	Padgett
Ford	Palmer
Fox	Patterson
Frazer	Payne
Fuchs	Petsch
Gibson	Pope
Glass	Reader
Good	Reed of Bowie
Graves	Reed of Dallas
Gray	Roach of Angelina
Greathouse	Roach of Hunt
Hankamer	Roark
Hanna	Roberts
Hardin	Rogers
Harris of Archer	Russell
Harris of Dallas	Rutta
Hartzog	Scarborough
Head	Settle
Hodges	Shofner
Hofheinz	Smith
Holland	Stanfield
Hoskins	Steward

Stinson	Wells
Stovall	Westfall
Tarwater	Wood of Harrison
Tennyson	Wood of Montague
Thornton	Worley
Venable	Young
Waggoner	Youngblood
Walker	

Nays—2

Luker Quinn

Absent

Beck	Howard
Bergman	Jones of Atascosa
Bradbury	Lange
Caldwell	Leath
Calvert	Lemens
Colquitt	Lindsey
Dunlap of Kleberg	Riddle
Dwyer	Roane
Herzik	Spears
Hill	Tillery

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

HOUSE BILL NO. 3 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 3, A bill to be entitled "An Act amending Article 924, Penal Code, 1925, making it unlawful to use certain explosives or other things harmful to fish in any of the waters of this State; providing a penalty, and declaring an emergency."

The bill was read second time.

Mr. Tillery offered the following amendment to the bill:

Amend House Bill No. 3, by striking out the last paragraph of Section 1, and inserting in lieu therefor the following:

"Anyone violating any provision of this Act shall be deemed guilty of a misdemeanor and on conviction shall be fined not less than fifty dollars (\$50), nor more than one hundred dollars (\$100), and shall serve a sentence in the county jail of not less than sixty (60) days, nor more than ninety (90) days."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 3 was then passed to engrossment.

HOUSE BILL NO. 3 ON THIRD
READING

Mr. Tillery moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 3 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Adamson	Huddleston
Adkins	Hunt
Alexander	Hunter
Alsup	Jackson
Ash	James
Beck	Jefferson
Bergman	Jones of Falls
Bourne	Jones of Shelby
Bradbury	Jones of Wise
Bradford	Keefe
Broyles	Knetsch
Burton	Latham
Butler of Karnes	Lemens
Calvert	Leonard
Canon	Lotief
Celaya	Lucas
Collins	Mauritz
Colquitt	McCalla
Colson	McConnell
Cooper	McFarland
Cowley	McKee
Craddock	McKinney
Daniel	Moffett
Davison of Fisher	Moore
Dickison	Morris
Dunagan	Morrison
Dunlap of Hays	Morse
Duvall	Newton
Dwyer	Nicholson
England	Olsen
Fain	Padgett
Farmer	Palmer
Ford	Patterson
Fox	Payne
Frazer	Petsch
Fuchs	Pope
Glass	Quinn
Good	Reader
Graves	Reed of Bowie
Gray	Reed of Dallas
Greathouse	Roach of Angelina
Hankamer	Roach of Hunt
Hanna	Roane
Harris of Archer	Roark
Harris of Dallas	Roberts
Herzik	Russell
Hodges	Rutta
Hofheinz	Settle
Holland	Shofner
Hoskins	Smith

Stanfield	Walker
Steward	Wells
Tarwater	Westfall
Tennyson	Wood of Harrison
Thornton	Wood of Montague
Tillery	Worley
Venable	Young
Waggoner	Youngblood

Nays—7

Aikin	Jones of Runnels
Gibson	Lanning
Hardin	Scarborough
Jones of Atascosa	

Absent

Atchison	Howard
Butler of Brazos	King
Cagle	Lange
Caldwell	Leath
Clayton	Lindsey
Davis	Luker
Dunlap of Kleberg	Riddle
Fisher	Rogers
Hartzog	Spears
Head	Stinson
Hill	Stovall

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 3 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—128

Adamson	Dickison
Adkins	Dunagan
Alexander	Dunlap of Hays
Alsup	Duvall
Ash	Dwyer
Atchison	England
Beck	Fain
Bergman	Farmer
Bradbury	Fisher
Broyles	Ford
Burton	Fox
Butler of Karnes	Frazer
Cagle	Fuchs
Calvert	Gibson
Canon	Glass
Celaya	Good
Clayton	Graves
Collins	Gray
Colquitt	Greathouse
Colson	Hankamer
Cooper	Hanna
Cowley	Hardin
Craddock	Harris of Archer
Daniel	Harris of Dallas

Herzik	Padgett
Hodges	Palmer
Hofheinz	Patterson
Holland	Payne
Hoskins	Petsch
Huddleston	Pope
Hunt	Quinn
Hunter	Reader
Jackson	Reed of Bowie
James	Reed of Dallas
Jefferson	Roach of Angelina
Jones of Atascosa	Roach of Hunt
Jones of Falls	Roane
Jones of Runnels	Roark
Jones of Shelby	Roberts
Jones of Wise	Rogers
Keefe	Russell
King	Rutta
Knetsch	Scarborough
Lange	Settle
Lanning	Shofner
Latham	Smith
Lemens	Stanfield
Leonard	Steward
Lindsey	Stinson
Lotief	Stovall
Lucas	Tarwater
Mauritz	Tennyson
McCalla	Thornton
McConnell	Tillery
McFarland	Venable
McKee	Waggoner
McKinney	Walker
Moffett	Wells
Moore	Westfall
Morris	Wood of Harrison
Morrison	Wood of Montague
Morse	Worley
Newton	Young
Nicholson	Youngblood
Olsen	

Nays—2

Aikin	Luker
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Present—Not Voting

Davison of Fisher

Absent

Bourne	Head
Bradford	Hill
Butler of Brazos	Howard
Caldwell	Leath
Davis	Riddle
Dunlap of Kleberg	Spears
Hartzog	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

HOUSE BILL NO. 60 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 60, A bill to be entitled "An Act amending Section 3 of House Bill No. 81, Chapter 29, Acts of the First Called Session, Forty-third Legislature, and House Bill No. 31 of the Third Called Session of the Forty-third Legislature providing for commercial fisherman's license, wholesale fish dealers' license, retail fish dealers' license, in towns of certain population, retail oyster dealers' license, retail dealers' truck license, bait dealers' license, shrimp trawl license, shrimp trawl license permitting use of a 'try net,' seine or net license, fish boat license, skiff license, oyster dredge license, and fish guide license, and the fees and requirements for all of same, etc."

The bill was read second time.

Mr. Hartzog offered the following amendment to the bill:

Amend House Bill No. 60 by inserting between lines 7 and 8, on page 2, the following:

"(a) Wholesale truck dealers' fish license, fee for each truck, one hundred dollars (\$100)."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 60 was then passed to engrossment.

HOUSE BILL NO. 60 ON THIRD READING

Mr. McKee moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 60 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Adamson	Butler of Brazos
Adkins	Cagle
Aikin	Canon
Alexander	Celaya
Alsup	Collins
Atchison	Colquitt
Beck	Cooper
Bergman	Cowley
Bourne	Craddock
Bradbury	Daniel
Broyles	Davis
Burton	Davison of Fisher

Dickison	McCalla
Dunagan	McConnell
Dunlap of Hays	McFarland
Duvall	McKee
England	McKinney
Fain	Moffett
Farmer	Morris
Fisher	Morrison
Ford	Morse
Fox	Newton
Frazer	Nicholson
Fuchs	Olsen
Gibson	Padgett
Glass	Patterson
Good	Payne
Graves	Petsch
Gray	Pope
Greathouse	Quinn
Hankamer	Reader
Hanna	Reed of Bowie
Hardin	Reed of Dallas
Harris of Archer	Roach of Angelina
Harris of Dallas	Roach of Hunt
Head	Roane
Herzik	Roberts
Hodges	Rogers
Hofheinz	Rutta
Hoskins	Scarborough
Huddleston	Settle
Hunter	Shofner
Jackson	Smith
James	Stanfield
Jefferson	Stinson
Jones of Falls	Stovall
Jones of Runnels	Tennyson
Jones of Shelby	Thornton
Jones of Wise	Tillery
Keefe	Venable
Knetsch	Waggoner
Lanning	Walker
Latham	Wells
Lemens	Westfall
Leonard	Wood of Harrison
Lindsey	Wood of Montague
Lotief	Worley
Lucas	Young
Mauritz	Youngblood

Nays—1

Roark

Absent

Ash	Hunt
Bradford	Jones of Atascosa
Butler of Karnes	King
Caldwell	Lange
Calvert	Leath
Clayton	Luker
Colson	Moore
Dunlap of Kleberg	Palmer
Dwyer	Riddle
Hartzog	Russell
Hill	Spears
Holland	Steward
Howard	Tarwater

Absent—Excused

Crossley Fitzwater
 Davisson Hyder
 of Eastland

The Speaker then laid House Bill No. 60 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 80 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 80, A bill to be entitled "An Act to amend Article 6078, Revised Statutes, dealing with public parks, etc."

The bill was read second time.

Mr. Dwyer offered the following amendment to the bill:

Amend House Bill No. 80 by adding after the word "dedicate" at the close of Section 1, the following: "Provided said owner shall pay all taxes due the State and or any subdivisions thereon at the time said property was conveyed to the county for park purposes."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 80 was then passed to engrossment.

HOUSE BILL NO. 80 ON THIRD READING

Mr. Dwyer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 80 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Adamson	Bradbury
Adkins	Bradford
Aikin	Broyles
Alexander	Burton
Ash	Butler of Brazos
Atchison	Butler of Karnes
Beck	Cagle
Bergman	Canon
Bourne	Celaya

Clayton	Mauritz
Collins	McCalla
Colquitt	McConnell
Cooper	McFarland
Cowley	McKee
Craddock	McKinney
Daniel	Moffett
Davis	Moore
Davison of Fisher	Morris
Dickison	Morrison
Dunagan	Morse
Dunlap of Hays	Newton
Dwyer	Nicholson
England	Olsen
Fain	Padgett
Farmer	Palmer
Fisher	Patterson
Fox	Payne
Fuchs	Petsch
Gibson	Pope
Glass	Quinn
Good	Reader
Graves	Reed of Bowie
Gray	Reed of Dallas
Greathouse	Roach of Angelina
Hankamer	Roach of Hunt
Hanna	Roane
Harris of Archer	Roark
Harris of Dallas	Roberts
Hartzog	Rogers
Herzik	Russell
Hodges	Rutta
Hofheinz	Scarborough
Holland	Settle
Huddleston	Shofner
Hunt	Smith
Hunter	Stanfield
James	Stinson
Jefferson	Stovall
Jones of Falls	Tarwater
Jones of Runnels	Thornton
Jones of Shelby	Tillery
Jones of Wise	Venable
Keefe	Waggoner
King	Walker
Knetsch	Wells
Lanning	Westfall
Latham	Wood of Harrison
Lemens	Wood of Montague
Leonard	Worley
Lindsey	Young
Lucas	Youngblood
Luker	

Nays—5

Colson	Lotief
Frazer	Tennyson
Hardin	

Present—Not Voting

Jackson

Absent

Alsup	Duvall
Caldwell	Ford
Calvert	Head
Dunlap of Kleberg	Hill

Hoskins
Howard
Jones of Atascosa
Lange

Leath
Riddle
Spears
Steward

Absent—Excused

Crossley
Davisson
of Eastland

Fitzwater
Hyder

The Speaker then laid House Bill No. 80 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—123

Adamson	Harris of Dallas
Adkins	Herzik
Alexander	Hodges
Alsup	Hofheinz
Ash	Holland
Atchison	Hoskins
Beck	Huddleston
Bergman	Hunt
Bradbury	Hunter
Bradford	Jackson
Burton	James
Butler of Brazos	Jefferson
Butler of Karnes	Jones of Atascosa
Cagle	Jones of Falls
Canon	Jones of Runnels
Celaya	Jones of Shelby
Clayton	Jones of Wise
Collins	Keefe
Colquitt	King
Cooper	Knetsch
Cowley	Lanning
Craddock	Latham
Daniel	Lemens
Davis	Leonard
Davison of Fisher	Lindsey
Dickison	Lucas
Dunagan	Mauritz
Dunlap of Hays	McConnell
Duvall	McFarland
Dwyer	McKee
England	McKinney
Fain	Moffett
Farmer	Moore
Fisher	Morris
Ford	Morrison
Fox	Morse
Frazer	Newton
Fuchs	Nicholson
Gibson	Olsen
Glass	Padgett
Good	Palmer
Graves	Patterson
Gray	Payne
Greathouse	Petsch
Hankamer	Pope
Hanna	Quinn
Hardin	Reader
Harris of Archer	Reed of Bowie

Reed of Dallas	Tarwater
Roach of Angelina	Tennyson
Roark	Thornton
Roberts	Venable
Rogers	Waggoner
Russell	Walker
Rutta	Wells
Scarborough	Westfall
Settle	Wood of Harrison
Shofner	Wood of Montague
Smith	Worley
Stanfield	Young
Stinson	Youngblood
Stovall	

Nays—4

Aikin	Lotief
Broyles	McCalla

Present—Not Voting

Roane

Absent

Bourne	Lange
Caldwell	Leath
Calvert	Luker
Colson	Riddle
Dunlap of Kleberg	Roach of Hunt
Hartzog	Spears
Head	Steward
Hill	Tillery
Howard	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

HOUSE BILL NO. 175 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 175, A bill to be entitled "An Act providing for the gathering of statistical information on the catch of the various marine products along the Texas coast; providing a penalty and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 175 ON THIRD READING

Mr. Jefferson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 175 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Adamson	Adkins
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Aikin	Jones of Wise
Alexander	Keefe
Alsup	Knetsch
Ash	Lange
Atchison	Lanning
Beck	Latham
Bergman	Lemens
Bourne	Leonard
Bradbury	Lotief
Broyles	Lucas
Burton	Mauritz
Butler of Brazos	McCalla
Butler of Karnes	McConnell
Canon	McKee
Celaya	McKinney
Clayton	Moffett
Colquitt	Moore
Cooper	Morris
Cowley	Morrison
Craddock	Morse
Daniel	Newton
Davis	Nicholson
Davison of Fisher	Padgett
Dickison	Patterson
Dunagan	Payne
Dunlap of Hays	Petsch
Duvall	Pope
Dwyer	Quinn
England	Reader
Fain	Reed of Dallas
Farmer	Roach of Angelina
Fisher	Roach of Hunt
Ford	Roane
Fox	Roark
Frazer	Roberts
Gibson	Rogers
Glass	Russell
Good	Rutta
Gray	Scarborough
Hankamer	Settle
Hanna	Shofner
Hardin	Smith
Harris of Archer	Stanfield
Harris of Dallas	Stinson
Hartzog	Stovall
Head	Tennyson
Hodges	Thornton
Hofheinz	Venable
Holland	Waggoner
Hoskins	Walker
Hunt	Wells
Hunter	Westfall
Jackson	Wood of Harrison
Jefferson	Wood of Montague
Jones of Falls	Worley
Jones of Runnels	Young
Jones of Shelby	Youngblood

Nays—1

Lindsey

Present—Not Voting

Cagle

Absent

Bradford
CaldwellCalvert
Collins

Colson	Leath
Dunlap of Kleberg	Luker
Fuchs	McFarland
Graves	Olsen
Greathouse	Palmer
Herzik	Reed of Bowie
Hill	Riddle
Howard	Spears
Huddleston	Steward
James	Tarwater
Jones of Atascosa	Tillery
King	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 175 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—120

Adamson	Gray
Adkins	Hankamer
Aikin	Hanna
Alexander	Harris of Archer
Alsup	Harris of Dallas
Ash	Hartzog
Atchison	Head
Bergman	Herzik
Bourne	Hodges
Bradbury	Hofheinz
Bradford	Holland
Broyles	Hoskins
Burton	Huddleston
Butler of Brazos	Hunt
Butler of Karnes	Hunter
Canon	Jackson
Celaya	Jefferson
Clayton	Jones of Atascosa
Collins	Jones of Falls
Colquitt	Jones of Runnels
Cooper	Jones of Shelby
Cowley	Jones of Wise
Craddock	Keefe
Daniel	Knetsch
Davis	Lange
Davison of Fisher	Lanning
Dickison	Latham
Dunagan	Lemens
Dunlap of Hays	Leonard
Duvall	Lotief
England	Lucas
Fain	Mauritz
Fisher	McCalla
Ford	McConnell
Frazer	McKee
Fuchs	McKinney
Gibson	Moffett
Glass	Moore
Good	Morris
Graves	Morrison

Morse	Russell
Newton	Rutta
Nicholson	Scarborough
Olsen	Settle
Padgett	Shofner
Palmer	Smith
Patterson	Stinson
Payne	Stovall
Petsch	Tennyson
Pope	Thornton
Quinn	Tillery
Reader	Venable
Reed of Bowie	Waggoner
Reed of Dallas	Walker
Roach of Angelina	Wells
Roach of Hunt	Wood of Harrison
Roane	Wood of Montague
Roark	Worley
Roberts	Young
Rogers	Youngblood

Absent

Beck	James
Cagle	King
Caldwell	Leath
Calvert	Lindsey
Colson	Luker
Dunlap of Kleberg	McFarland
Dwyer	Riddle
Farmer	Spears
Fox	Stanfield
Greathouse	Steward
Hardin	Tarwater
Hill	Westfall
Howard	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

HOUSE BILL NO. 336 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 336, A bill to be entitled "An Act to amend Article 755 of Chapter 1, Title 9, of the Code of Criminal Procedure of the State of Texas, 1925, prescribing the time when motions for new trials may be made in misdemeanors and felony trials, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 336 ON THIRD READING

Mr. Roach of Hunt moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 336

be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113

Adamson	Knetsch
Adkins	Lange
Aikin	Lanning
Alsup	Latham
Atchison	Lemens
Beck	Leonard
Bourne	Lotief
Bradbury	Lucas
Bradford	Mauritz
Broyles	McCalla
Burton	McConnell
Butler of Brazos	McFarland
Butler of Karnes	McKee
Cagle	McKinney
Canon	Moffett
Celaya	Moore
Clayton	Morrison
Collins	Morse
Colquitt	Newton
Colson	Nicholson
Cooper	Olsen
Cowley	Padgett
Craddock	Patterson
Daniel	Payne
Dickison	Petsch
Dunagan	Pope
Dunlap of Hays	Quinn
Duvall	Reader
Fain	Reed of Bowie
Farmer	Reed of Dallas
Fisher	Roach of Angelina
Ford	Roach of Hunt
Fox	Roark
Frazer	Roberts
Gibson	Rogers
Glass	Russell
Good	Scarborough
Greathouse	Settle
Hankamer	Shofner
Hanna	Smith
Hardin	Stanfield
Harris of Archer	Steward
Harris of Dallas	Stinson
Head	Stovall
Hodges	Tennyson
Hofheinz	Thornton
Huddleston	Venable
Hunt	Waggoner
Hunter	Walker
Jackson	Wells
James	Westfall
Jefferson	Wood of Harrison
Jones of Falls	Wood of Montague
Jones of Runnels	Worley
Jones of Shelby	Young
Jones of Wise	Youngblood
Keefe	

Absent

Alexander	Bergman
Ash	Caldwell

Calvert	Howard
Davis	Jones of Atascosa
Davison of Fisher	King
Dunlap of Kleberg	Leath
Dwyer	Lindsey
England	Luker
Fuchs	Morris
Graves	Palmer
Gray	Riddle
Hartzog	Roane
Herzik	Rutta
Hill	Spears
Holland	Tarwater
Hoskins	Tillery

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 336 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—117

Adamson	Gray
Adkins	Hanna
Aikin	Hardin
Alexander	Harris of Archer
Alsup	Harris of Dallas
Atchison	Hartzog
Beck	Head
Bourne	Hodges
Bradbury	Hofheinz
Broyles	Hoskins
Burton	Huddleston
Butler of Brazos	Hunt
Butler of Karnes	Jackson
Cagle	James
Canon	Jefferson
Celaya	Jones of Falls
Clayton	Jones of Runnels
Collins	Jones of Wise
Colquitt	Keefe
Colson	King
Cooper	Knetsch
Cowley	Lange
Craddock	Lanning
Daniels	Latham
Dickison	Lemens
Dunagan	Leonard
Dunlap of Hays	Lotief
Duvall	Lucas
Dwyer	Mauritz
England	McCalla
Fain	McConnell
Farmer	McFarland
Fisher	McKee
Ford	McKinney
Fox	Moffett
Frazer	Moore
Glass	Morris
Good	Morrison

Morse	Scarborough
Newton	Settle
Nicholson	Shofner
Olsen	Smith
Padgett	Stanfield
Palmer	Steward
Patterson	Stinson
Payne	Stovall
Petsch	Thornton
Pope	Tillery
Quinn	Venable
Reader	Waggoner
Reed of Bowie	Walker
Reed of Dallas	Wells
Roach of Angelina	Westfall
Roach of Hunt	Wood of Harrison
Roark	Wood of Montague
Roberts	Worley
Rogers	Young
Russell	Youngblood
Rutta	

Absent

Ash	Hill
Bergman	Holland
Bradford	Howard
Caldwell	Hunter
Calvert	Jones of Atascosa
Davis	Jones of Shelby
Davison of Fisher	Leath
Dunlap of Kleberg	Lindsey
Fuchs	Luker
Gibson	Riddle
Graves	Roane
Greathouse	Spears
Hankamer	Tarwater
Herzik	Tennyson

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

HOUSE BILL NO. 363 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 363, A bill to be entitled "An Act creating the Commission of the Volunteer Army of the War with Spain to be composed of the Governor of the State of Texas, the Adjutant General of Texas, and the Department Commander of the United Spanish War Veterans of Texas, and their successors in office, all without extra compensation, and the Governor as chairman; making an appropriation, etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 363 ON THIRD
READING

Mr. Rogers moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 363 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—115

Adamson	Jackson
Adkins	James
Aikin	Jefferson
Alexander	Jones of Atascosa
Alsup	Jones of Falls
Ash	Jones of Runnels
Atchison	Jones of Shelby
Beck	Jones of Wise
Bergman	Keefe
Bourne	King
Bradbury	Knetsch
Broyles	Lange
Burton	Lanning
Butler of Brazos	Latham
Butler of Karnes	Lemens
Calvert	Leonard
Canon	Lindsey
Clayton	Lotief
Collins	Lucas
Colquitt	Mauritz
Colson	McCalla
Cooper	McConnell
Cowley	McFarland
Craddock	McKee
Daniel	McKinney
Davison of Fisher	Moffett
Dickison	Moore
Dunagan	Morrison
Dunlap of Hays	Morse
Duvall	Newton
England	Nicholson
Fain	Padgett
Farmer	Patterson
Fisher	Petsch
Fox	Pope
Frazer	Quinn
Glass	Reader
Good	Reed of Bowie
Graves	Reed of Dallas
Gray	Roach of Angelina
Greathouse	Roach of Hunt
Hankamer	Roark
Hanna	Roberts
Hardin	Rogers
Harris of Archer	Russell
Harris of Dallas	Rutta
Hartzog	Scarborough
Head	Settle
Hodges	Smith
Hofheinz	Stanfield
Hoskins	Steward
Huddleston	Stinson
Hunter	Thornton

Tillery	Wood of Montague
Venable	Worley
Waggoner	Young
Westfall	Youngblood
Wood of Harrison	

Nays—4

Cagle	Stovall
Morris	Wells

Present—Not Voting

Roane

Absent

Bradford	Hunt
Caldwell	Leath
Celaya	Luker
Davis	Olsen
Dunlap of Kleberg	Palmer
Dwyer	Payne
Ford	Riddle
Fuchs	Shofner
Gibson	Spears
Herzik	Tarwater
Hill	Tennyson
Holland	Walker
Howard	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 363 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 863 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 863, A bill to be entitled "An Act to validate all proceedings, orders and resolutions whereby any water improvement district or water control and improvement district, or irrigation district now organized and existing under the Constitution and laws of this State (other than water improvement districts now organized and existing under the Constitution and/or laws of this State which obtain their water supply under contract with the United States) whether pursuant to an election or without such election, has provided for refunding any part or all of its outstanding bonds or indebtedness therefore authorized by an election held for that purpose as provided by law; etc., and declaring an emergency."

The bill was read second time.

Mr. Leonard offered the following amendment to the bill:

Amend House Bill No. 863 by striking out the word "irrigation" in line 3 of the caption and in line 3 of Section 1 and inserting in lieu thereof the following: "conservation and reclamation".

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 863 was then passed to engrossment.

HOUSE BILL NO. 863 ON THIRD READING

Mr. Leonard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 863 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113

Adamson	Fuchs
Adkins	Glass
Aikin	Gray
Alexander	Hankamer
Alsup	Hanna
Ash	Hardin
Beck	Harris of Archer
Bergman	Harris of Dallas
Bourne	Hodges
Bradbury	Holland
Broyles	Hoskins
Burton	Huddleston
Butler of Brazos	Hunt
Butler of Karnes	Jackson
Cagle	James
Calvert	Jefferson
Clayton	Jones of Atascosa
Colquitt	Jones of Falls
Colson	Jones of Runnels
Cooper	Jones of Shelby
Cowley	Jones of Wise
Davis	Keefe
Davison of Fisher	King
Dickison	Knetsch
Dunagan	Lanning
Dunlap of Hays	Latham
Duvall	Lemens
Dwyer	Leonard
England	Lotief
Fain	Lucas
Farmer	Mauritz
Fisher	McCalla
Fox	McConnell
Frazer	McFarland

McKee	Roberts
McKinney	Rogers
Moffett	Russell
Moore	Rutta
Morris	Scarborough
Morrison	Settle
Morse	Shofner
Newton	Smith
Nicholson	Stanfield
Olsen	Steward
Padgett	Stinson
Palmer	Stovall
Patterson	Tennyson
Payne	Thornton
Petsch	Venable
Pope	Waggoner
Quinn	Walker
Reader	Wells
Reed of Bowie	Wood of Harrison
Reed of Dallas	Wood of Montague
Roach of Angelina	Worley
Roach of Hunt	Young
Roark	Youngblood

Nays—1

Greathouse

Present—Not Voting

Roane

Absent

Atchison	Herzik
Bradford	Hill
Caldwell	Hofheinz
Canon	Howard
Celaya	Hunter
Collins	Lange
Craddock	Leath
Daniel	Lindsey
Dunlap of Kleberg	Luker
Ford	Riddle
Gibson	Spears
Good	Tarwater
Graves	Tillery
Hartzog	Westfall
Head	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 863 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—122

Adamson	Bergman
Adkins	Bourne
Aikin	Bradbury
Alexander	Broyles
Alsup	Burton
Ash	Butler of Brazos
Beck	Butler of Karnes

Cagle	Leonard
Calvert	Lotief
Clayton	Lucas
Collins	Mauritz
Colquitt	McCalla
Colson	McConnell
Cooper	McFarland
Cowley	McKee
Craddock	McKinney
Davis	Moffett
Davison of Fisher	Moore
Dickison	Morris
Dunagan	Morrison
Dunlap of Hays	Morse
Duvall	Newton
Dwyer	Nicholson
England	Olsen
Fain	Padgett
Farmer	Palmer
Fisher	Patterson
Fox	Payne
Frazier	Petsch
Fuchs	Pope
Gibson	Quinn
Glass	Reader
Good	Reed of Bowie
Graves	Reed of Dallas
Gray	Roach of Angelina
Hankamer	Roach of Hunt
Hanna	Roark
Hardin	Roberts
Harris of Archer	Rogers
Harris of Dallas	Russell
Head	Rutta
Herzik	Scarborough
Hodges	Settle
Hofheinz	Shofner
Hoskins	Smith
Huddleston	Stanfield
Hunt	Steward
Hunter	Stinson
Jackson	Stovall
James	Tarwater
Jefferson	Tennyson
Jones of Atascosa	Thornton
Jones of Falls	Tillery
Jones of Runnels	Venable
Jones of Wise	Wells
Keefe	Westfall
King	Wood of Harrison
Knetsch	Wood of Montague
Lanning	Worley
Latham	Young
Lemens	Youngblood

Nays—2

Greathouse Walker

Present—Not Voting

Roane

Absent

Atchison	Celaya
Bradford	Daniel
Caldwell	Dunlap of Kleberg
Canon	Ford

Hartzog	Leath
Hill	Lindsey
Holland	Luker
Howard	Riddle
Jones of Shelby	Spears
Lange	Waggoner

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

HOUSE BILL NO. 491 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 491, A bill to be entitled "An Act providing for a civil service commission in cities having a population of more than 290,000, and in counties having a population of more than 350,000, both according to the Federal Census last preceding; establishing a method for the election of the members of said commission; fixing the terms of office of said members, and providing for the functioning of said commission; providing for a civil service system based upon examination and investigation as to merit, efficiency, and fitness for appointment, employment, and promotion of individuals appointed in and employed by said cities and counties, etc., and declaring an emergency."

The bill was read second time.

Mr. Hofheinz offered the following committee amendment to the bill:

Amend House Bill No. 491 by striking out all below the enacting clause and by substituting in lieu thereof the following:

"Section 1. There shall be a civil service commission, hereinafter designated 'Commission,' in cities having a population of more than 290,000, according to the Federal Census last preceding the time at which the cities come under the provisions of this Act. Said Commission shall consist of seven commissioners, each of whom shall be elected not later than the third Thursday in June in the year during which the city concerned comes under the provisions of this Act, as follows: (1) Three of said commissioners shall be elected by a majority of the State district judges with courts in the city concerned; (2) three of said commissioners shall be elected by those employees of the city

concerned, which said employees are under the classified civil service provided for in this Act and who have been employed by said city for a period of at least one year, whether in a consecutive period of time or otherwise; (3) one of said commissioners shall be elected by majority vote of the six commissioners elected as provided for in items (1) and (2) above. All of the commissioners referred to in items (1), (2), and (3) above shall be qualified voters and residents of the city concerned.

"Of the commissioners elected not later than the date stipulated hereinbefore, one commissioner elected under the provisions of item (1) above and one commissioner elected under the provisions of item (2) above, and the one elected under item (3) above, shall serve for a period of one year and until their successors qualify, and two commissioners elected as provided in item (1) and two commissioners elected under the provisions of item (2) shall serve for a period of two years and until their successors qualify. The commissioner elected by said employees for said period of one year as provided above, and his successors, shall be so elected by said employees as chairman of said Commission. The commissioner so elected chairman shall continue as chairman of said Commission until his successor qualifies as chairman. After the expiration of the terms of office of those commissioners elected not later than the date hereinbefore stated, their respective successors shall serve for a period of two years from the date of their respective elections and until their successors qualify. Should any vacancy occur in said Commission the same shall be filled within fifteen days in the same manner by which such commissioner was elected and for the remainder of the term of office of said commissioner and until his successor qualifies. The chairman shall vote on all matters coming before said Commission the same as all other members thereof, and he shall receive a salary of not less than three thousand dollars (\$3,000) per year in equal monthly installments. The chairman of said Commission shall be ex-officio director of civil service and shall perform such duties as may be designated to him by the Commission.

"Should any of the electing bodies designated in items (1) and (2) above fail or refuse to elect members of

said Commission, then and in that event any three of the commissioners elected for the city concerned shall be, and are hereby, authorized to organize the Commission for said city and shall function as said Commission under the provisions of this Act until the other four commissioners are elected as provided for under the terms of this Act, at which time said Commission of seven members shall assume office.

"Sec. 2. In addition to the duties hereinafter prescribed and authorized, the Commission shall arrange for the preparation and grading of examination papers for those individuals who take the civil service examination provided for in this Act and shall have such examination questions prepared by and the answers thereto graded by such individuals as may be designated by the Commission. The Commission may require heads of departments to assist the Commission in preparing examination questions for all persons taking examinations under the provisions of this Act, provided that examinations prepared for heads of departments and their first assistants, respectively, shall not be prepared with the assistance of said heads of departments and or their said assistants. All persons, after the effective date of this Act, entering the employment of the city concerned shall be subject to examination by questions limited to knowledge actually required in such employment in the specific departments, respectively, and as provided for in this Act, subject to the provisions of Section 16 of this Act; provided that no examinations under the provisions of this Act shall ever be required of elective officials and those employed in a professional capacity as lawyers, physicians and/or surgeons, or as experts to make special surveys.

"In all examinations given under the provisions of this Act, there shall be added to the grades for each particular examination paper one-half of one per cent of the perfect grade for each year for which the individual examined has been employed by the city concerned whether during a consecutive period of time or otherwise.

"Any citizen or citizens of the city concerned shall have the right, at any time, to file charges against any member of the Commission to secure his removal from office; such charges shall be filed in the form of a peti-

tion in the civil district court in the county concerned, a copy of said petition, in writing, to be served upon the commissioner sought to be removed. Said petition shall be heard by said district court, with the same rights as to appeal as in other civil suits.

"No commissioner shall be financially interested, directly or indirectly, in any contract between the city concerned and any contractor. No commissioner shall hold any other office, or otherwise be employed, under or by the United States, the State of Texas, the city, county or other political subdivision thereof; nor shall any commissioner serve on any political committee or take any active part in the management of any political campaign. The salaries of the commissioners shall be fixed by the city council of the city concerned.

"Sec. 3. Upon the request of said Commission, necessary clerks and stenographers (which said clerks and stenographers shall be under the civil service established by this Act), officers, equipment, supplies, postage and printing shall be provided by the city council of the city concerned with annual appropriations for sums of money necessary therefor. Said Commission shall incur expenses only for which said city council has theretofore made appropriations.

"Sec. 4. The Commission, with the advice and consent of the city council of the city concerned, shall insure all persons coming under the civil service provided for in this Act against industrial accidents with some reliable insurance company authorized to do business in the State of Texas; and for the purpose of this Act each said city of the size and class stipulated in this Act shall come under the provisions of the Workmen's Compensation Law of the State of Texas, Articles 8306, 8307, 8308, and 8309, of the Revised Civil Statutes of the State of Texas, 1925, as amended or as may hereafter be amended; and said city and the civil service employes thereof shall be subject to all the provisions of said Workmen's Compensation Law.

"Sec. 5. Said Commission, within the terms of this Act, shall:

"First: Prescribe, amend and enforce rules and regulations for carrying into effect the provisions of this Act and not in conflict with any other provisions of the law. All rules so

prepared may, from time to time, be added to, amended or rescinded.

"Second: Keep minutes of its own proceedings, and records of its examinations and other official actions. All recommendations of applicants for office, received by said Commission or by any officer having authority to make appointments to office, shall be kept and preserved for a period of ten years, and all such records—recommendations of former employes excepted and all written causes of removal, filed with it, subject to reasonable regulation, shall be open to public inspection.

"Third: Make investigations, either sitting as a body or through a single commissioner, concerning all matters touching the enforcement and regulations prescribed hereunder, concerning the action of any examiner or subordinate of the Commission, or any person in the public service in respect to the execution of this Act; and, in the course of such investigations, each Commissioner shall have the power to administer oaths and affirmations, and to take testimony, provided that in all hearings provided for in the last paragraph of Section 8 of this Act, there shall be present at least a majority of said Commissioners who are members of said Commission as provided for in this Act.

"Fourth: Have power to subpoena and require the attendance of witnesses, to administer oaths to such witnesses and to require them to testify, and to require the production thereby of books and papers pertinent to the investigations and inquiries hereby authorized, in relation to any matter which it has the authority to investigate. The fees of such witnesses for attendance and travel as provided for civil district courts of Texas shall be paid from the appropriation for the incidental expenses of the Commission. All officers in the public service, and their deputies, clerks, subordinates, and employes, shall attend and testify when required to do so by said Commission. Any disobedience to, or neglect of any subpoena issued by the said commissioners, or any one of them, to any person, shall be held a contempt of court, and shall be punished by any civil district court within the county in which the Commission issued said subpoena as if such subpoena had been issued from said court. Any judge of any of said courts shall, upon the application of

any one of said commissioners, in such cases, cause the process of said court to issue to compel such person or persons, disobeying or neglecting any such subpoena, to appear and to give testimony before said commissioners, or any one of them, and shall have power to punish any such contempt.

"Fifth: Make and deliver an annual report to the city council of the city concerned showing its own actions and rules and regulations, and all the exceptions it may approve for the more effectual accomplishments of the purposes of this Act. Such report shall be available for public inspection five days after the same shall have been delivered.

"Sec. 6. The Commission, in the cities the size and class stipulated in this Act, shall make rules and regulations providing for examination for positions and for appointments to any promotions therein, and for such other matters as are necessary to carry out the purpose of this Act. Due notice of the contents of such rules and regulations and of any modifications thereof shall be given, by mail, in due season, to appointing officers affected thereby; and said rules and regulations and modifications thereof shall also be printed for public distribution. All appointments to any positions within the terms of this Act shall be for a probationary period of six months; provided, however that at any time during the probationary period the appointee may be dismissed for just cause, in the manner provided in Section 12 of this Act. If at the close of this probationary term, the conduct or capacity of the probationer has not been satisfactory to the appointing officer, the probationer shall be notified in writing that he will not receive absolute appointment, whereupon his employment shall cease; otherwise, his retention in the service shall be equivalent to his final appointment. Said Commission shall determine the punishment employees of said city shall receive for violations of the rules and regulations hereinbefore provided for; and the terms and provisions of such punishment shall be published in legible type on the premises where said employees are employed.

"Sec. 7. All examinations for positions or promotions shall be practical in their character, and shall relate to such matters and include such in-

quiries, as will fairly and fully test the comparative merit and fitness of the persons examined to discharge the duties of the employment sought by them. All examinations shall be open to all applicants who have fulfilled the preliminary requirements stated in other sections of this Act. In addition to regulations adopted by said Commission as set out in this Act, all applicants for any position with the city concerned may, in the discretion of said Commission and only to the extent actually necessary for said position, be required to submit to a physical examination before being admitted to the regular examinations held by said Commission. Said applicant for employment shall have been a resident of said city for three years next preceding the date of his application. Adequate public notice of the time and place of every examination held under the provisions of this Act, together with information as to the kind of position or place to be filled, shall be given at least one week prior to such examinations. Said Commission shall adopt reasonable regulations for permitting the presence of representatives of the press at the examinations. Said Commission shall post in a public place at its office the eligible lists containing the names and grades of those who have passed examinations for positions under this Act and shall indicate thereon such appointments as may be made from said lists. Provided that no person shall be employed for common labor by the city concerned longer than six months, whether in a consecutive period of time or otherwise, unless he has successfully passed examinations and is appointed under the terms of this Act and in accordance with said rules and regulations of the Commission.

"Sec. 8. Said Commission shall require persons applying for admission to any examination provided for under this Act or under the rules and regulations of said Commission, to file in its office, within a reasonable time prior to the proposed examination, a formal application in which the applicant shall state under oath or affirmation:

"First: His full name, residence, and post-office address.

"Second: His citizenship, age, and the place and date of his birth.

"Third: His health and his physical capacity for public service.

"Fourth: His business and employment and residence for the last three years.

"Fifth: Such other information as reasonably may be required touching the applicant's qualifications and fitness for the public service.

"Blank forms for such applications shall be furnished by said Commission, without charge, to all persons requesting the same. Said Commission may require in connection with such application, such certificate of citizens, physicians or others, having knowledge of the applicant, as the good of the service may require. Said Commission may refuse to examine an applicant, or after examination to certify as eligible one who is found to lack any of the established preliminary requirements for the examination or position or employment for which he applies; or who is physically so disabled as to be rendered unfit for the performance of the duties of the position to which he seeks appointment; or who is addicted to the habitual use of intoxicating liquors or drugs; or who has been guilty of any crime, or of any infamous or notoriously disgraceful conduct; or who has been dismissed from the public service for delinquency or misconduct; or who has made a false statement of any material fact, or practiced or attempted to practice any deception or fraud in his application, in his examination or in securing his eligibility; or who refuses to comply with the rules and regulations of the Commission.

"If any applicant feels himself aggrieved by the action of said Commission in refusing to examine him or after an examination, to certify him as an eligible, as provided in this section, the Commission shall, at the request of such applicant, appoint a time and place not later than two weeks after said request is made to it and in a suitable place in the city concerned for a public hearing, at which time such applicant may appear by himself or counsel, or both, and said Commission shall then review its refusal to make such examination or certification and testimony shall be taken. Said Commission shall subpoena, at the expense of the applicant, any competent witnesses requested by him. After such review the Commission shall file the testimony taken in its records and shall

again make a decision, which decision shall be final.

"Sec. 9. Every position or employment unless filled by promotion, reinstatement or reduction shall be filled only in the following manner: The appointing officer shall notify said Commission of any vacancy in the service which he desires to fill and shall request the certification of eligibles. The Commission shall forthwith certify from the appropriate eligible list the name of the person thereon who received the highest average at the last preceding examination held under the provisions of this Act. Nor shall a subsequent examination be held until those who took said last preceding examination have been employed or otherwise disposed of as provided for in this Act. The appointing officer shall thereupon make an appointment of the individual certified; provided, however, that should he make objection to the Commission for any of the reasons stated in Section 8 of this Act, and should such objections be sustained by the Commission as provided in said Section 8, the Commission shall thereupon strike the name of such person from the eligible list and certify the next highest name for each person so stricken off. As each subsequent vacancy occurs in same or another position, precisely the same procedure shall be followed. When there are a number of positions of the same kind to be filled at the same time, each appointment shall nevertheless be made separately and in accordance with the foregoing provisions. When an appointment is made under the provisions of this section it shall be, in the first instance, for the probationary period of six months, as provided in Section 6 of this Act.

"The term 'Appointing Officer' as used in this Act shall be construed to mean the principal officer of each department in whom the power of appointment of individuals to fill vacancies in said department is vested.

"Sec. 10. Whenever there are urgent reasons for filling a vacancy in any position in the city concerned and there is no list of persons eligible for appointment after a competitive examination, the appointing officer may nominate a person to the Commission for non-competitive examination; and if such nominee shall be certified by said Commission as quali-

fied, after each non-competitive examination, he may be appointed provisionally to fill such vacancy until a selection and appointment can be made after competitive examination, in the manner prescribed in Section 9; but such provisional appointment shall not continue for a longer period than three months, nor shall successive provisional appointments be made to the same position under this provision.

"Sec. 11. Vacancies in positions with said city shall be filled, so far as practicable, by promotions from among persons holding positions in the next lower grade in the department concerned. Promotions shall be based upon merit to be ascertained by tests to be provided by said Commission and upon the superior qualifications of the person promoted as shown by his previous service and experience. Provided, however, no person shall be eligible for promotion from the lower grade to the next higher grade until such person shall have completed at least two years' service in the next grade lower in the department concerned. Said Commission shall have the power to determine in each instance whether an increase in salary constitutes a promotion. The appointments and promotions provided for in this section shall be made in accordance with the probationary provisions contained in Section 6 of this Act.

"Sec. 12. There shall be no discrimination against any such employee or applicant in regard to the employment or hiring of such person, or his or her promotion, reduction, or discharge; or in regard to amount of wages or salary, percentage of increase of pay for overtime work, or in character of work performed or to be performed, on account of sex, provided that these provisions shall not apply to the heavier forms of manual labor, nor to employment in the fire department or police department. All applicants for any position in the city concerned may be required, as provided for in Section 7 hereof, to undergo a physical examination and shall not be removed, discharged, or reduced in rank or pay except for just cause, which shall not be religious or political, and/or union membership or union activities except as provided in Section 13 of this Act; further, no such employee shall be removed, discharged or reduced except as provided in this section of this Act, and in no

event until he shall have been furnished with a written statement in detail of the reasons for such action. In every case of such removal or reduction a copy of the statement of reasons therefor of the written answers thereto, if the person sought to be removed desires to file such written matter, shall be furnished to the Commission and entered upon its records. If the person sought to be removed or reduced shall demand it, the Commission shall grant him a public hearing, which hearing shall be held within a period of ten days from the filing of the charges in writing and the written answer thereto. At such hearing the burden shall be upon the removing officer to justify his action. In event that said Commission fails to justify the action of the removing officer, then the person sought to be removed shall be reinstated with full pay for the entire period during which he may have been prevented from performing his usual employment, and no charges shall be officially recorded against his record. A written record of all testimony taken at such hearing shall be kept and preserved by the Commission, which record shall be sealed and not be available for public inspection, in event that no appeal shall be taken from the action of the Commission. In event that the Commission shall sustain the action of the removing officer the person removed shall have an immediate right of appeal to the civil district court in the county in which appellant is a resident. Said appeal shall be taken within ninety days from the entry by the Commission of its final order; upon such an appeal being taken and docketed with the clerk of the civil district court of said county, said court shall proceed to hear the appeal upon the original record taken and no additional proof shall be permitted to be introduced. Said court's decision shall be final except that the appellant in said district court shall have the right of appeal as in other civil cases in this State. In all appeals from said public hearings the legal department of the city concerned shall represent said Commission.

"The removing officer and the person sought to be removed shall at all times, both before the Commission and upon appeal, be given the right to employ counsel to represent either of them before said Commission and upon appeal, should the person re-

moved elect to appeal to the civil district court as hereinbefore provided. Provided, however, that if for reasons of economy or other reasons it shall be deemed necessary by the city concerned to reduce the number of employes in any department then said city concerned shall follow the following procedure:

"First: If there be any paid employe of said city eligible for retirement under the terms of a pension fund act, if such fund exists in said city, then such reduction in numbers shall be made by retirement on pension of all such eligible employes.

"Second: If the number of employes eligible for retirement under the pension fund of said city, if such pension fund exists, is insufficient to effect the reduction in numbers, or if there is no eligible person for retirement under the pension fund of said city, or if no pension fund exists in said city, then reduction in numbers of the employes shall be effected by suspending the last person, including probationers, that have been appointed. Such removal shall be accomplished by suspending in numerical order, commencing with the last man appointed, all recent appointees until such reduction shall have been accomplished; provided, further, that in event said city shall again be increased in numbers the said employes suspended under the terms of this Act shall be reinstated before any new appointees to said city and in the order in which they were first employed.

"Sec. 13. Said Commission shall see that no employe who has been injured while performing his duty, is removed from the pay roll of the city concerned unless and until said employe is paid workmen's compensation including necessary medical and hospital expenses as provided for in this Act.

"No question in any form of application or in any examination shall be so framed as to elicit information concerning the political or religious opinions or affiliations of any applicant; nor shall inquiry be made concerning such opinions or affiliations; and all disclosures thereof shall be discountenanced. No discrimination shall be exercised, threatened, or promised by any officials of said city concerned against or in favor of an applicant, eligible, or employe of said city, under this Act because of his

political or religious opinions or affiliations. No person shall appoint, promote, discharge, remove, reduce or discriminate in any way against any employe of said city because he has refused or neglected to make or give any contribution, whether voluntary or involuntary, assessment or payment for any campaign or political purpose or for the benefit or promotion of any political party, or for use by any committee or party in connection with any general or primary election, nor shall any employe of said city make or give any contribution, whether voluntary or involuntary, assessment or payment for any campaign or political purpose or for the benefit or promotion of any political party, or for the use of any committee or party in connection with any general or primary election.

"Sec. 14. Whoever makes an appointment to office, or elects a person for employment, contrary to the provisions of this Act, or wilfully refuses or neglects otherwise to comply with or conform to any of the provisions of this Act, or violates any of such provisions, shall be punished by a fine of not less than five hundred dollars (\$500) and not more than five thousand dollars (\$5,000), or shall be imprisoned not more than six months.

"Sec. 15. Any commissioner or examiner, or any other person, who shall wilfully, by himself or in cooperation with one or more persons, defeat, deceive, or obstruct any person in respect to his right of examination or registration according to this Act, or to any rules or regulations prescribed pursuant hereto, or who shall wilfully or corruptly, falsely mark, grade, estimate or report upon the examination or proper standing of any person examined, registered, or certified, pursuant to the provisions of this Act, or aid in so doing, or who shall wilfully or corruptly furnish to any persons any special or secret information for the purpose of either improving or injuring the prospects or chances of appointment of any person so examined, registered, or certified, or to be examined, registered, or certified; or who shall impersonate any other person or permit or aid in any manner any other person to impersonate him in connection with any examination or registration, or application or request to be examined or registered, shall for each offense be punished by

a fine of not less than five hundred dollars (\$500) and not more than five thousand dollars (\$5,000), or shall be imprisoned not more than six months.

"Sec. 15-a. Any person violating any of the provisions of this Act, other than as provided for in Sections 14 and 15 hereof, upon conviction shall be punished by a fine of not more than five hundred dollars (\$500).

"Sec. 16. All persons who are employed by said city concerned under the provisions of this Act upon the date of the passage of this Act shall be construed to have been appointed under the provisions of this Act and shall hold their positions in accordance therewith.

"Sec. 17. All laws and parts of laws in conflict herewith are hereby repealed.

"Sec. 18. If any provision of this Act shall be held to be unconstitutional it shall not affect the validity of other provisions of this Act.

"Sec. 19. The fact that there now is no adequate civil service law for the cities affected by the terms of this Act and the crowded condition of the calendar create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be, and the same is hereby, suspended, and that this Act shall take effect and be in force from and after the passage hereof, and it is so enacted."

Mr. McCalla offered the following amendments to the committee amendment:

Amend committee amendment to House Bill No. 491, page 1, lines 6, 7, and 8, by striking out the words: "according to the Federal Census last preceding the time at which the cities come under the provisions of this" and insert in lieu thereof the following: "according to the last preceding or any future Federal Census."

Amend committee amendment to House Bill No. 491, page 7, line 26, by striking out the words "three years" and insert in lieu thereof the following: "eighteen months."

Amend committee amendment to House Bill No. 491, page 9, line 3, by striking out the word "crime" and insert in lieu thereof the following: "felony or misdemeanor involving moral turpitude."

Amend committee amendment to House Bill No. 491, page 9, line 25, by striking out the period at the end of said line and insert in lieu thereof the following: ", subject, however, to review by the courts of this State as provided by law."

Amend committee amendment to House Bill No. 491, page 12, line 26, by striking out the words "upon the original record taken and no additional proof shall be permitted to be introduced" and insert in lieu thereof the following: "as soon as practicable."

Amend committee amendment to House Bill No. 491, page 13, line 24, by inserting after the word "city" the following: "employees."

Amend committee amendment to House Bill No. 491, page 14, by striking out the following words on line 28: "less than five hundred dollars (\$500)," and all of lines 29 and 30, and insert in lieu thereof the following: "more than one thousand dollars (\$1,000) and by confinement in the county jail not to exceed one year."

Amend committee amendment to House Bill No. 491, page 15, by striking out all of lines 16, 17, and 18 and insert in lieu thereof the following: "of not more than one thousand dollars (\$1,000) and by confinement in the county jail not to exceed one year."

Amend committee amendment to House Bill No. 491, page 15, by striking out all of Section 16 and insert in lieu thereof the following:

"Section 16. All persons who have been employed by said city concerned under the provisions of any civil service regulations in effect in said city, upon the effective date of this Act shall be construed to have been appointed under the provisions of this Act and shall hold their positions subject to all of the provisions of this Act."

Amend committee amendment to House Bill No. 491, page 15, line 32, by adding at the end of said line the following:

"If the entire Act should be held to be unconstitutional, the passage of this Act shall not be construed to have repealed any civil service regulations now in operation by charter provision or ordinance in any city affected hereby."

The amendments were severally adopted.

The committee amendment, as amended, was then adopted.

Mr. Hofheinz offered the following committee amendment to the bill:

Amend House Bill No. 491 by striking out all above the enacting clause and by substituting in lieu thereof the following:

"H. B. No. 491,

A BILL

To Be Entitled

An Act providing for a civil service commission in cities having a population of more than 290,000, according to the Federal Census last preceding; establishing a method for the election of the members of said Commission, fixing the terms of office of said members, and providing for the functioning of said Commission including the election of the chairman thereof and a minimum salary of \$3,000 for the chairman of said Commission; authorizing any three members of said Commission to organize the same on failure or refusal of any elective body or bodies to elect Commissioners and until the other four commissioners are elected; providing for a civil service system based upon examination of certain required knowledge and investigation as to merit, efficiency and fitness for appointment, employment, and promotion of individuals appointed in and employed by said cities; providing for discharge of employees of said city and for procedure in hearings and appeal relating to such discharge; providing for the removal of members of said Commission, hearings on charges filed to that end, and appeals from action on such charges; prohibiting said commissioners from holding Federal, State, county, municipal, or other political office or serving on any political committee or taking any active part in the management of any political campaign while serving on said Commission; and authorizing said city councils to fix the salaries of said commissioners; authorizing necessary clerks and stenographers, offices, office equipment, supplies, postage, and printing, for said Civil Service Commission, the same to be provided by city council of the city concerned, and the salaries of said

clerks and stenographers to be paid by the said council of the city concerned out of annual appropriations by said council for the work of said Commission; providing for workmen's compensation for employees of said cities; authorizing said Civil Service Commission to prescribe, amend, and enforce rules and regulations, to effectuate the provisions hereof, to keep minutes of its proceedings and other records for ten years and open to public inspection, and to make certain investigation concerning the administration of the Act, including said rules and regulations, to administer oaths, take testimony and subpoena witnesses and require their attendance and the production by them of certain evidence and records, authorizing the payment to witnesses for attendance and travel and providing punishment for disobedience to summons, and the making of annual reports by said Commission to the mayor of such city; prohibiting campaign contributions by said employees and prohibiting discrimination in employment because of sex; providing penalties for the violation of the Act; providing that persons employed by said city upon the date of the passage hereof shall be retained in such employment; providing a saving clause and repealing laws in conflict with the Act, and declaring an emergency."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 491 was then passed to engrossment.

HOUSE BILL NO. 491 ON THIRD READING

Mr. Hofheinz moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 491 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—120

Adamson	Bourne
Adkins	Bradbury
Aikin	Bradford
Alexander	Broyles
Atchison	Burton
Beck	Butler of Brazos

Butler of Karnes	Leath
Calvert	Lemens
Canon	Leonard
Clayton	Lindsey
Collins	Lotief
Colquitt	Lucas
Colson	Mauritz
Cooper	McCalla
Cowley	McConnell
Craddock	McFarland
Davis	McKee
Davison of Fisher	McKinney
Dickison	Moffett
Dunagan	Moore
Dunlap of Hays	Morrison
Duvall	Morse
Dwyer	Newton
England	Nicholson
Fain	Olsen
Farmer	Padgett
Fisher	Palmer
Fox	Patterson
Frazer	Petsch
Fuchs	Quinn
Glass	Reader
Graves	Reed of Bowie
Gray	Roach of Angelina
Greathouse	Roach of Hunt
Hankamer	Roane
Hanna	Roark
Hardin	Roberts
Harris of Archer	Russell
Harris of Dallas	Rutta
Hartzog	Scarborough
Head	Settle
Herzik	Shofner
Hodges	Smith
Hofheinz	Stanfield
Holland	Steward
Hoskins	Stinson
Huddleston	Stovall
Hunt	Tarwater
Hunter	Tennyson
Jackson	Thornton
James	Venable
Jefferson	Waggoner
Jones of Atascosa	Walker
Jones of Falls	Wells
Jones of Shelby	Westfall
Jones of Wise	Wood of Harrison
Keefe	Wood of Montague
King	Worley
Knetsch	Young
Lanning	Youngblood
Latham	

Nays—1

Morris

Absent

Alsup	Ford
Ash	Gibson
Bergman	Good
Cagle	Hill
Caldwell	Howard
Celaya	Jones of Runnels
Daniel	Lange
Dunlap of Kleberg	Luker

Payne	Rogers
Pope	Spears
Reed of Dallas	Tillery
Riddle	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 491 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—120

Adamson	Holland
Adkins	Hoskins
Aikin	Huddleston
Alexander	Hunter
Ash	Jackson
Atchison	James
Beck	Jefferson
Bourne	Jones of Falls
Bradford	Jones of Runnels
Broyles	Jones of Shelby
Burton	Jones of Wise
Butler of Brazos	Keefe
Butler of Karnes	King
Cagle	Knetsch
Calvert	Lanning
Canon	Latham
Clayton	Lemens
Colquitt	Leonard
Colson	Lotief
Cooper	Lucas
Cowley	Mauritz
Craddock	McCalla
Davis	McConnell
Davison of Fisher	McFarland
Dickison	McKee
Dunagan	McKinney
Dunlap of Hays	Moffett
Duvall	Moore
England	Morrison
Fain	Morse
Farmer	Newton
Fisher	Nicholson
Fox	Olsen
Frazer	Padgett
Fuchs	Palmer
Glass	Patterson
Graves	Payne
Gray	Petsch
Greathouse	Pope
Hankamer	Quinn
Hanna	Reader
Hardin	Reed of Bowie
Harris of Archer	Reed of Dallas
Harris of Dallas	Roach of Angelina
Hartzog	Roach of Hunt
Head	Roane
Herzik	Roark
Hodges	Roberts
Hofheinz	Russell

Rutta	Tillery
Scarborough	Venable
Settle	Waggoner
Shofner	Walker
Smith	Wells
Stanfield	Westfall
Steward	Wood of Harrison
Stinson	Wood of Montague
Stovall	Worley
Tarwater	Young
Tennyson	Youngblood
Thornton	

Nays—1

Morris

Absent

Alsup	Hill
Bergman	Howard
Bradbury	Hunt
Caldwell	Jones of Atascosa
Celaya	Lange
Collins	Leath
Daniel	Lindsey
Dunlap of Kleberg	Luker
Dwyer	Riddle
Ford	Rogers
Gibson	Spears
Good	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

HOUSE BILL NO. 516 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 516, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than 17,000 and not more than 17,100 population, according to the last Federal Census, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 516 ON THIRD
READING

Mr. Scarborough moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 516 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—121

Adamson	Aikin
Adkins	Alexander

Alsup	Keefe
Ash	Knetsch
Atchison	Lanning
Beck	Latham
Bergman	Lemens
Bourne	Leonard
Bradbury	Lotief
Broyles	Lucas
Burton	Mauritz
Butler of Brazos	McCalla
Butler of Karnes	McConnell
Cagle	McFarland
Calvert	McKee
Canon	Moffett
Collins	Moore
Colquitt	Morris
Colson	Morrison
Cooper	Morse
Cowley	Newton
Craddock	Nicholson
Davis	Olsen
Davison of Fisher	Padgett
Dickison	Palmer
Dunagan	Patterson
Dunlap of Hays	Petsch
Duvall	Pope
England	Quinn
Fain	Reader
Farmer	Reed of Bowie
Fisher	Reed of Dallas
Fox	Roach of Angelina
Frazer	Roach of Hunt
Fuchs	Roane
Glass	Roark
Graves	Roberts
Gray	Rogers
Greathouse	Russell
Hankamer	Rutta
Hanna	Scarborough
Hardin	Settle
Harris of Archer	Shofner
Harris of Dallas	Smith
Hartzog	Stanfield
Head	Steward
Herzik	Stinson
Hodges	Stovall
Hofheinz	Tennyson
Holland	Thornton
Hoskins	Tillery
Huddleston	Venable
Hunt	Waggoner
Hunter	Walker
Jackson	Wells
James	Westfall
Jefferson	Wood of Harrison
Jones of Falls	Wood of Montague
Jones of Runnels	Worley
Jones of Shelby	Young
Jones of Wise	Youngblood

Absent

Bradford	Dwyer
Caldwell	Ford
Celaya	Gibson
Clayton	Good
Daniel	Hill
Dunlap of Kleberg	Howard

Jones of Atascosa	McKinney
King	Payne
Lange	Riddle
Leath	Spears
Lindsey	Tarwater
Luker	

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 516 before the House on its third reading and final passage.

The bill was read third time, and was passed.

ADDITIONAL SIGNER OF HOUSE BILL NO. 522

By unanimous consent of the House, Mr. Hunter was authorized to sign House Bill No. 522 as co-author of same.

HOUSE BILL NO. 522 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 522, A bill to be entitled "An Act to amend Chapter 138 of the Acts of the Regular Session of the Forty-third Legislature; extending the provisions of said Act so as to include associations or organizations, or local mutual aid associations, or State-wide mutual associations; and extending the provisions of said Act so as to include insurance consultants, requiring such to obtain a license; and providing for annual fee and annual report for all agents licensed under the provisions of this Act; and providing for penalties, and declaring an emergency."

The bill was read second time.

Mr. Padgett offered the following committee amendment to the bill:

Amend House Bill No. 522 by striking out the words "and or counsellor" wherever they appear in the bill and the caption.

The amendment was adopted.

Mr. Head offered the following committee amendments to the bill:

Amend House Bill No. 522 by leaving out in Section 1 the words: "and is ethical in his conduct toward insurance companies, and to such Board of Insurance Commissioners and is

just and fair in soliciting and writing business, to the rights of the prospect".

Strike out Section 2-a of House Bill No. 522 and insert in lieu thereof the following:

"Section 2-a. Any license so issued by the Board of Insurance Commissioners to any person shall remain in force and effect for a period of one year; at the end of which time he may be issued a new license. Such agent may at any time he desires surrender, voluntarily, his license by filing notice with such Board of Insurance Commissioners or said license may be canceled by the Board of Insurance Commissioners for cause, or if such person shall not have outstanding a legal and definite appointment by some life insurance company, life and accident, health and accident, or life, health and accident insurance company, or association, or organization, or local mutual aid association, or State-wide mutual association soliciting or writing insurance in the State of Texas, to act as its agent, in which latter event the license shall be forfeited."

The amendments were severally adopted.

Mr. Head offered the following amendment to the bill:

Amend House Bill No. 522, in Section 7, by striking out everything in next to the last sentence appearing in said Section 7, said sentence beginning with the words "if any" and ending with the words "sixty days."

HEAD,
LEMENS.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 522 was then passed to engrossment.

HOUSE BILL NO. 522 ON THIRD READING

Mr. Padgett moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 522 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—115

Adamson	Jones of Shelby
Adkins	Jones of Wise
Alexander	Keefe
Alsup	King
Atchison	Knetsch
Beck	Lanning
Bergman	Latham
Bourne	Leath
Bradbury	Lemens
Bradford	Leonard
Broyles	Lucas
Burton	Mauritz
Butler of Brazos	McCalla
Calvert	McConnell
Clayton	McFarland
Collins	McKee
Colquitt	McKinney
Colson	Moffett
Cooper	Moore
Cowley	Morse
Craddock	Newton
Davis	Nicholson
Davison of Fisher	Olsen
Dickison	Padgett
Dunagan	Patterson
Dunlap of Hays	Petsch
Duvall	Pope
England	Quinn
Fain	Reader
Farmer	Reed of Bowie
Fisher	Reed of Dallas
Fox	Roach of Angelina
Frazer	Roach of Hunt
Fuchs	Roark
Gibson	Roberts
Glass	Rogers
Good	Russell
Graves	Rutta
Gray	Scarborough
Hankamer	Settle
Hanna	Shofner
Hardin	Smith
Harris of Archer	Stanfield
Harris of Dallas	Steward
Head	Stinson
Herzik	Tennyson
Hodges	Thornton
Hofheinz	Tillery
Holland	Venable
Hoskins	Waggoner
Huddleston	Walker
Hunt	Wells
Hunter	Westfall
Jackson	Wood of Montague
James	Worley
Jefferson	Young
Jones of Atascosa	Youngblood
Jones of Runnels	

Nays—6

Aikin	Lindsey
Cagle	Morris
Canon	Wood of Harrison

Absent

Ash	Jones of Falls
Butler of Karnes	Lange
Caldwell	Lotief
Celaya	Luker
Daniel	Morrison
Dunlap of Kleberg	Palmer
Dwyer	Payne
Ford	Riddle
Greathouse	Roane
Hartzog	Spears
Hill	Stovall
Howard	Tarwater

Absent—Excused

Crossley	Fitzwater
Davisson	Hyder
of Eastland	

The Speaker then laid House Bill No. 522 before the House on its third reading and final passage.

The bill was read third time, and was passed.

ADJOURNMENT

On motion of Mr. Worley, the House, at 10 o'clock p. m., adjourned until 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Counties: House Bill No. 901.

Penitentiaries: Senate Bill No. 217.

Conservation and Reclamation: House Bill No. 978.

The following committee filed adverse reports on bills, as follows:

Oil, Gas, and Mining: House Bills Nos. 810 and 811.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, April 22, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 223, A bill to be entitled "An Act levying and imposing license taxes and occupation taxes on coin-operated vending machines as defined

in the Act, providing for certain exceptions and exemptions, prescribing penalties for violation of acts prohibited hereby and for failure to do and perform acts required to be done and performed under the provisions of this Act, to repeal Chapter 116, Acts of the First Called Session of the Forty-third Legislature, and to provide against counties, cities, and towns imposing any additional occupation tax by virtue of the taxes levied and imposed by this Act, etc., and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, April 22, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 521, "An Act providing a title for the Act; providing the definitions of certain words, terms and phrases; providing that certain transactions shall be exempt from the terms of the Act; providing that it shall not be necessary to negative any of the exemptions provided for in any complaint, information or indictment and providing upon whom the burden of proof shall rest to prove such exemptions; providing certain requirements of securities which a dealer, salesman or agent may sell or offer for sale, providing for the issuance of permits to issuers of securities and providing certain requirements, information and conditions precedent to the issuance of such permits; providing certain requirements and conditions and certain procedure in the event securities are sold or are offered for sale by a dealer and limiting the expenses which may be contracted incident to the sale of same; prescribing certain duties of the Secretary of State upon the filing of an application and in the issuance or refusal of a permit; providing for hearing if a permit is refused and for appeal from the decisions of the Secretary of State; providing for a form for permits and specifying certain provisions which must be in a permit; providing for the terms for which permits may be issued, providing for

the issuance of renewal certificates and conditions incident thereto, and providing for fees for renewal certificates; prohibiting use of permit in sale or effort to sell securities; providing that information, papers, documents, instruments and affidavits required to be filed shall be deemed public records and limiting those to whom same shall be open for inspection and providing who may obtain certified copies of same; providing that no action shall lie against the Secretary of State or his employes for any information required or permitted to be given; providing who may sell securities and for the registration of persons selling securities; providing for the registration of dealers, the application therefor, and fixing certain requirements thereof; providing for the issuance of registry certificates to dealers, the manner thereof, fixing certain requirements and prescribing certain procedure as to registration; providing for the issuance of non-revocable power of attorney by certain persons, companies and non-resident dealers, the conditions and effect thereof, and the manner of the execution of said power of attorney; providing for notice and hearing before the Secretary of State if an application for registration is denied; providing for the amendment of a registration certificate under certain conditions; providing for the registration of salesmen and agents of securities, the manner thereof, fixing certain requirements and prescribing certain procedure as to registration; making it unlawful for any dealer, agent or salesman who is not properly registered to sell securities and making it unlawful for any dealer, agent or salesman to use the fact of his registration in connection with the sale of securities; providing for the display of registration certificates; defining certain violations of the terms of this Act with certain exceptions thereto, and enumerating transactions which may be exempt, and providing for the manner and the procedure for obtaining such exemptions, and providing for the withdrawal of such exemptions; conferring on the Secretary of State the authority to require a dealer to submit a list of securities, subject to certain conditions, and upon proper notice to require the dealer to discontinue the sale of certain securities, and providing for notice, hear-

ing and method of appeal in the event a discontinuance of the sale of securities is ordered; providing for revocation of registration certificates of dealers, agents or salesmen and providing for hearings on such revocations; providing method of giving notice when notice is required by provisions of this Act; providing for the time and method of appeal to the courts by persons aggrieved under this Act, and the proper procedure after such appeal; conferring on the Secretary of State the authority to require by subpoena the attendance of witnesses and the taking of depositions and the production of books, accounts, records, papers and correspondence relating to matters which the Secretary of State has authority to investigate, and conferring upon the Secretary of State the authority to issue subpoenas, administer oaths and affirmations, examine witnesses and receive evidence, and providing that all such information shall be confidential, providing for the aid of courts, if necessary, providing for punishment for contempt, and providing for fees of witnesses, other fees, costs and expenses; defining violations of this Act by any dealer, agent, salesman, principal, officer or employe and prescribing penalties therefor; providing that certified copies of all instruments and documents filed in the office of the Secretary of State shall be admitted as evidence; providing that courts may require the production of original instruments and documents, and providing that in any proceedings based on the provisions of this Act, a certificate of the Secretary of State under the seal of the State shall constitute prima facie evidence of compliance or non-compliance with the terms of this Act; providing that the liabilities imposed by any other law or laws of this State shall not be affected by the terms of this Act; providing for investigation and action by the Secretary of State and the Attorney General under certain conditions and the filing of court action to enjoin certain acts and providing the proper venue for such action and providing for certain procedure when necessary, and providing that no bond shall be required in any injunction proceedings by the Secretary of State or Attorney General; providing for the administration of the Act, and providing for the co-

operation of certain other officers of the State with the Secretary of State; providing for the appointment, duties and salary of the Securities Commissioner; providing that certain fees are to be charged and collected by the Secretary of State; making provisions for the deposit of fees collected under the terms of this Act; providing for the payment of salaries of employes and expenses of administration and for the disbursement of funds collected under this Act; providing that in the event any provision of this Act is declared void or unconstitutional that the remaining provisions shall remain in full force and effect; providing for the repeal of the 'Blue Sky Law' embraced in Articles 579 to 600, inclusive, Revised Civil Statutes, 1925, and Articles 1071 to 1083, inclusive, Penal Code, 1925; providing that all permits and exemptions issued under existing laws shall remain in full force and effect for the term for which they were issued and that all agreements heretofore entered into shall continue in full force and effect; providing that all prosecutions begun under the terms of the Blue Sky Law shall continue and remain in full force and effect; providing that all funds heretofore appropriated for the administration of the Blue Sky Law are hereby appropriated for the purposes set forth in Sections 34 and 36 of this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 456, "An Act amending Subdivision 63, of Article 199, Title 8, Revised Civil Statutes of Texas, of 1925, providing for the terms of court in the Sixty-third Judicial District and the time of the holding of same; repealing Chapter 183, page 397, Act of the Regular Session of the Forty-first Legislature, 1929; validating all processes, writs, bonds and recognizances of every kind and character heretofore issued or entered and all grand and petit jurors drawn and selected under the existing laws by the various counties affected by this Act,

that same shall be returnable to and said jurors serve for the next term of court in the various counties affected, after the taking effect of this Act; providing the time for this Act to take effect, and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 294, "An Act designating fur-bearing animals, declaring them the property of the State, declaring a five (5) year closed season on wild fox in Brazos, Grimes, Robertson, and Washington Counties; providing a penalty for violation of this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 497, "An Act making certain emergency appropriations out of the General Fund of the State of Texas for the State Commission for the Blind's Department for the balance of the fiscal year ending August 31, 1935, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, April 23, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 424, "An Act to amend Chapter 98, of the General Laws of the State of Texas, as passed by the Regular Session of the Forty-first Legislature, by adding thereto Section 1-a, so as to provide for the purchase of a part of the law books for the Courts of Civil Appeals out of the

court fees collected by said courts, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

FIFTY-SIXTH DAY

(Wednesday, April 24, 1935)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker	Good
Adamson	Graves
Adkins	Gray
Aikin	Greathouse
Alexander	Hankamer
Alsup	Hanna
Ash	Hardin
Atchison	Harris of Archer
Beck	Harris of Dallas
Bergman	Hartzog
Bourne	Head
Bradbury	Herzik
Bradford	Hill
Broyles	Hodges
Burton	Hofheinz
Butler of Brazos	Holland
Butler of Karnes	Hoskins
Cagle	Howard
Caldwell	Huddleston
Calvert	Hunt
Canon	Hunter
Celaya	Hyder
Clayton	Jackson
Collins	James
Colquitt	Jefferson
Colson	Jones of Atascosa
Cooper	Jones of Falls
Cowley	Jones of Runnels
Craddock	Jones of Shelby
Daniel	Jones of Wise
Davis	Keefe
Davison of Fisher	King
Dickison	Lange
Dunagan	Lanning
Dunlap of Hays	Latham
Dunlap of Kleberg	Leath
Duvall	Lemens
Dwyer	Leonard
England	Lindsey
Fain	Lotief
Farmer	Lucas
Fisher	Luker
Fitzwater	Mauritz
Ford	McCalla
Fox	McConnell
Frazer	McFarland
Fuchs	McKee
Gibson	McKinney
Glass	Moffett